

Yours

Notes 1

Deposition of Henry Waters.

Direct Examination by Thomas L.
Livormore Esq. of counsel for complainant.

October 25th 1875.

Qut 1 Please state your name aged have you testified
before in this case -

Ans Henry Waters - I have testified before in this case

Qut 2 Please examine the Letters Patent issued to
Lewis O. Ogden January 3 1854 N^o 10373 - Letters
Patent granted to Hall & Patten dated November 22
1859 N^o 26,183 & Letters Patent issued to Ira Cypres
dated February 24th 1863 N^o 37,734 which are
marked respectively Exhibits 8, 9 & 10 H. sent & examine
& state whether you find therein features or devices
described in the Brin & Ulrich & Richardson patents
which are in suit in this case & state how these
differ if at all giving the reasons for your
conclusions

Ans Taking first the patent to Ogden in regard of
& comparing the same ~~then~~ with the patent to

Bein & Hulrich, so far as relates to what is in controversy in this case, I refer first to the canopy or top of the carriage described in the Ogden Patent which I find different in construction ^{from the ~~Bein & Hulrich~~ canopy} in the Bein & Hulrich patent - In the Bein & Hulrich patent the canopy is per se a rigid canopy - In the Ogden patent it is not - It is made rigid by means of a shaft passing from side to side of ^{the} carriage across near the front of the seat to the two ends of which shaft the bows of the canopy are made fast & without this shaft the canopy would not be rigid - Now it is obvious that if a shaft extended across the carriage in the Bein & Hulrich contrivance at or near the pivot upon which the canopy turns in the part of the drawings then the carriage would become perfectly useless because the shaft would be in the way of the occupant of the carriage -

Making the same comparison between the Bein & Hulrich ^{the} Richardson patents all that I have said in regard to the difference between the Ogden & the Bein & Hulrich is true as also in the Ogden & the Richardson patents -

Going back now to the Ogden patent & considering it in regard to its means of adjustment for positioning the canopy it is clear that it

differ from the Bein & Hlrich & from the Richardson in this, that it can only be set perpendicular or turned backward while both the others cannot only be set perpendicular & turned backward but can be turned forward. But it is not clear how this O'Jelen Canopy can be adjusted to a perpendicular position & then held - The description ^{is not sufficient} of the patent, to enable one skilled in these matters to tell how it was made if it ever was made -

Then are described in this patent two shafts extending from side to side of the carriage for the purposes of connecting & operating the canopy such as it was - there are no such shafts either in the Bein & Hlrich patent nor in the Richardson -

Among other things this O'Jelen Patent says "I also fasten the bolts ff fig 1 upon the edge of the box or seat so that they enter the bows as in fig 1 ff to hold the top firmly when raised" Now this to me is entirely unintelligible & I doubt if any body can explain it - But it is clear that it is not like the Bein & Hlrich nor the Richardson contrivance because that whatever ff were their only office was to hold a canopy in an upright position & there is no other ^{position described} description in the patent than that upright position & its position when turned back & down.

Taking the Patent to Hall & Patten I find it stated therein as follows

"The nature of our ~~Conceal~~ invention consists in constructing the bow with joints in the manner hereinafter to be set forth so that the desired stiffness will be given the top when spread by the bows themselves & when folded the top will be packed close around the seat of the vehicle"

Now it is evident from this quotation that the contrivance here is different from the contrivance in Bein & Hirsch because this Hall & Patten contrivance is not a rigid canopy - It is a folding canopy & nothing else while in the Bein & Hirsch patent the canopy is a rigid canopy to all intents & purposes, when mounted upon its joints for the purposes of adjustment, the same being made rigid by means of the usual carriage joints & arms connecting the two extreme bows of the canopy, & when the same is distended by means of these joints it is a rigid canopy to all intents & purposes & can be turned upon the joints in the piece & held in any desired position by means of the arch working in a slot and the screw is seen at fig. 5 of the drawing.

There is no such rigid canopy in the Hall & Patten contrivance which can be operated upon

joint answering to this joint upon the piece
 For is there any such clamping apparatus
 as the screw is working upon the arch-piece
 which is in the slot -

And if we compare the Hall & Patten
 contrivance with the Richardson about the
 same differences will be found; the Richardson
 contrivance having a rigid canopy turning
 upon joints furnished with means for clamping
 the same in any desired position. -

Among other things this patent says:

" Fig 3 represents the top thrown forward so that
 the front bow rests in a horizontal position. the back
 bow partially folded - the upper section standing
 perpendicular ^{from} ~~upon~~ the joints at the front of the
 arm of the seat thus covering the carriage in front
 & forming a protection against storm or dust"

It is clear from the above quotation that the
 "top" then spoken of is not a rigid top but is
 a folding one & then for is unlike that in the
 Ben & Ulrich or the Richardson

It is also clear that in the Hall & Patten
 patent there is no clamping contrivance for
 holding the top in position whatever its position
 may be -

In the patents to Ira Cogswell there is a
 full & clear description of a Carriage-top ~~or~~ ^{can} or
 canopy which is a sort of rigid canopy &

adjustable as such after a manner; but to carry out this contrivance a shaft extending from side to side of the wagon is necessary in order to constitute the same a rigid adjustable canopy - & in this respect the contrivance differs from both the Bein & Hulrich & the Richardson - Moreover in this Cogswell contrivance the pivot upon which the canopy is adjustable is at the extreme rear of the seat - while in both the Bein & Hulrich & Richardson patents the pivot is at or near the extreme front of the seat & from this difference it results that the canopy in the Bein & Hulrich & Richardson Patents can be turned backward without being thrown so far to the rear as to make it useless while in the Cogswell contrivance it could not be thrown back for reason of the position of the pivot upon which it turns if for no other; but there are other reasons why the Cogswell canopy cannot be so thrown back or thrown back at all -

The apparatus for holding the canopy in position in the Cogswell contrivance is so constructed that the canopy cannot be thrown back at all but can only be thrown forward and that to a limited degree -

So that upon comparing the several patents inquired of with either the Bein & Hulrich or the Richardson I find each & every one of them

Material

Essentially different from either the Bain & Ulrich Contrivance or the Richardson & for the reasons hereinbefore stated -

Ex Glasgow
Int 3

Have you examined the frame marked Exhibit 1 Henry Hunt Examiner. Have you read the testimony of ^{Francis A} ~~Henry~~ Whitney & Joseph Z. Crisp concerning the same & if you will you state whether the Carriage now shown you is constructed in accordance with the Carriage embodying such frame as described by said Whitney & whether the same embodies the invention described in said Richardson & Bain & Ulrich patents & how it differs from them if at all [Carriage produced & referred to is marked Exhibit No W.E. Perkins Special Examiner]

Ans

I have read the testimony of Whitney & also that of Mr. Crisp - I do not understand that Mr. Crisp testifies as to the fact of the manufacture of these Carriages -

I have examined the frame inquired of & the evidence of Mr. Whitney concerning it & from that evidence of Mr. Whitney I understand that the Carriages having this device Exhibit 1 upon them had each of them two catches one upon each side of the Carriage one side being the converse of the other but both acting to hold the Canopy in position - Going

Going now to the carriage to be marked Exhibit
No I find it does not correspond with the testimony
of Mr. Whitney because it has a catch only upon
one side nor is the other side furnished with
any notches for receiving a catch as is shown
in Exhibit 1 Henry Hunt - If the carriage
had the same locking device upon either side
that is now upon one side then it would
be substantially in accordance with Mr. Whitney's
testimony I believe =

Taking now the carriage such as Exhibit
No would be if it had upon each side a locking
device such as is upon ^{one} side & comparing the
same with the carriage described in the Beir
& Ulrich I find it essentially different from
that of Beir & Ulrich ^{first} because the canopy is
not a rigid canopy but is simply a folding
Calash canopy ~~not~~ or top having locking devices
upon each end of the front bow working in
~~connection~~ conjunction with the back bow to
sustain the top said back bow being connected
with the rear of the seat by means of a
curtain or other ligature attached to the
back bow & the rear of the seat for that
purpose so that without this connection the
covering could never be strained into a
rigid form & it is obvious that with that
connection the canopy when thus strained

~~the~~ Canopy could not be swung further forward
as the canopy can be swung forward in the
Bein Hlnick -

John So that altogether this Whitney Carriage is
not essentially different from a common Calash
carriage but differs from it simply in the
fact that the top is strained by means of the
clutch fastenings upon the front bow acting
in conjunction with the ligatures upon the
back bow instead of by jointed arms extending
from the front bow to the rear bow & from the
rear bow to the rear of the seat - ~~perhaps~~

It is obvious that ^{when} this Whitney Carriage
Canopy is distended it cannot be swung either
back ward or ^{ward} forward while a distended
canopy in the Bein Hlnick Carriage can be
swung both backward & forward -

This is because that in the Bein &
Hlnick Carriage all the bows are attached
to one plate on each side of the Carriage
while in the Whitney Carriage only the
front bow is attached to the corresponding
plates - the other bows all acting independently
of it upon a common joint -

All that I have said regarding the
difference between the Whitney Carriage & the
Bein Hlnick Carriage is true in comparison
^{between} the Richardson Canopy ^{& the Whitney Carriage} substantially

the difference being that in the Richardson Camarg the canopy is absolutely rigid & cannot be folded at all under any circumstances.

That I am correct in regard to the manner of use of the Whitney Camarg is obvious from the answer of Mr. Whitney to the 49th Cross Interrogatory in his deposition —

Int-4 Please state whether the Camarg Exhibit 2. H. Lunt Hammer embodies the ~~same~~ invention described in said patents & if not how it differs from them if at all

Ans It does not — In the first place the joints which support the canopy are not properly located they are too near the ~~top of the~~ canopy & too far away from the seat —
^{+ also too near the rear of the seat —}
In the second place the joints have no means of locking the top in any position except an upright one — There is a sort of locking apparatus for that purpose it being the same device as that made use of in parasol handles to enable them to be folded up or set straight up so that it is obvious that it is only in one position that any locking can occur at all & that is an upright one — The top cannot be thrown forward & then locked

Walter C

nor can it be thrown backward & then
locked both of which can be done in the
Bein Helrich Contrivance & so also but in
a ^{different} manner in the Richardson
Contrivance -

Int 5 State whether the Carriage now produced is
made in accordance with the specifications
of the said Bein Helrich Patent -
[Carriage produced in evidence is marked Hubert-
Bein & Helrich W.E. Perkins Special Examiner]

Ans It is -

Int 6 Please state whether the Hubert-Craener-form
& Hubert-O ^{an like} resemble the Carriage described in
~~said~~ in said Richardson Patent & in what
particulars -

Ans They are - They are substantially the same ~~car~~
Contrivance but differing slightly in their
clamping devices -

Int 7 Please state whether in your opinion the Carriage
marked Hubert Bein Helrich is a practical
Carriage for use with the standards which
support the top in an upright position

Ans Undoubtedly it is

Int-8 Please state whether the method ^{+ means} of locking the standards in the position in the Carnage Exhibit G. differs in any material respect from the method + means of ^{locking} ~~adjusting~~ the back of the chair described in the patent now shown you? ^{granted to Burroughs & Co. in U.S. Pat. Dec. 21 1869. # 48,141}
[Patent produced & shown witness is marked]

Ans No they do not -

[Plaintiffs offer this patent in evidence + it marked Exhibit D. W. E. Perkins, Special Examiner]

Oct 30. 4.10 Examination adjourned -

Dec 6 11.30 Examination adjourned to Tuesday Dec 7 at 11.30 A.M.

Dec 11. 11.30 A.M. Examination resumed

Prop Examination

by Horatio G. Parker Esq -

x Int-9 Will you look at Exhibit N^o 12 made in these parts + state whether it correctly represents one of the standards of Exhibit H + if not state in what respect it differs? leaving out the proportions?

Ans I should think not - this model (Exhibit N^o 12) is made in these parts + has got something at the base that I don't understand at all - there is no such thing in the patent -

It has a locking device which if properly arranged in relation to a carriage seat - might serve the same purpose as the locking devices in Exhibit H.

Wasson

x Int-10 What is that part in the base which you say you do not understand at all?

Ans It is the lower member of the contrivance which can be detached from the other two by sliding it off.

x Int-11 Does the ~~only~~ only difference lie in the fact that it can be detached if not state what other differences there are

Ans In Exhibit H there is a carriage-body & a seat in relation ^{in connection with} to which the top of the carriage is pivoted. Then is no such thing in this model Exhibit 12

x Int-12 Discarding the prints in Exhibit 12 both above and below the front ~~lock~~ fastening is not the locking device with ^{the} spring-handle up the same as in Exhibit H substantially

Ans Substantially - yes - as I have before stated in answer to Cross Interrogatory 9 -

x Int-13 Now when you operate this so that the spring-handle is down is the locking device substantially the same?

Ans Yes - It is the same when considered by itself alone -

x Int-14 Is there any limit to the number of slots in the locking device other than the strength of the material?

Ans This locking device is limited to three slots in Exhibit 12 - there might be more cut in it if they were wanted -

x Int-15 And would you consider it any more in to make more slots?

Ans No if that was all that was done to this locking device -

x Int-16 And would you or not consider the device substantially the same if in place of slots, holes were made into which the catch should enter?

Ans What the question supposes couldn't be done to this combination as here constructed.

Journal

8

x Jul-17 Why not!

Ans Because the catch isn't made right for the purpose ~~proposed~~ ^{sub} -

x Jul-18 Now if the Catch were lengthened & holes made so that it could enter instead of the slots would you or not say it was then substantially the same device?

Ans I would say it was - What I understand to be proposed is to lengthen the beam from its fulcrum at the end which enters the slots so that the slots or holes would not require to be cut out to the periphery of the circle as they are now cut out -

x Jul-19 Is not Exhibit ~~Fig~~ ^{Fig 13} a fair representation of one side of the Chair shown in the Beach & Pyle Patent?

Ans I believe it is as far as it goes -

x Jul-20 What are the functions of the slot & screw on each side of the back of the Chair in said Patent -

Ans Taken in connection with the parts which

are connected by the screw the functions are
to allow the back of the chair to be set at
any angle between certain limits & then
fastened -

x Int-21 Will they not perform those functions with
a slot at other angles to the back of the chair
than as shown in the patent?

Ans Yes -

x Int-22 And at those other angles if the back & arm
were reduced to the same motions as those
~~of the Standard Exhibit 4~~ ^{shown by G. G.} ~~shown by G. G.~~ ^{still} would they ~~then~~ operate?

Ans I don't understand the question -

x Int-23 Exhibit ^{produced} here, numbered 14 will illustrate
what I mean - The arm of the chair being
confined to move on pivots at the two ends
and the back of the chair the same in
like manner as the top & bottom of the two
parts of the Standard Exhibit 4 which move
on pivots at the top & bottom - Will you
now answer the question?

Ans If the question means to ask whether
in a convenience like Exhibit 4 the long

Slot-which works upon the pin or bolt which connects the two together ~~Range~~^{Range} at an angle of ninety degrees from when it now ranges then the thing wouldn't operate as it now operates - and this would be true if the long slot departed any considerable number of degrees from when it now is in relation to the other parts -

Morfi

X Int-24 Looking at Exhibit-14 with the screw removed supposing the material to be unyielding metal will it then operate the same as the parts mentioned with a well fitting screw?

Ans No. This has no operation at all now with the screw out because it cannot be adjusted & set without a screw - but the parts can be put in motion ^{to the extent} ~~in a way~~ that they can't ^{not} be put in motion with the screw in.

X Int-25 If the screw in Exhibit-14 fitted ^{exactly} the slot ~~exactly~~ and the hole through which the screw goes could there be any motion to adjust the arm without cutting off the screw?

Ans Not much if any - without binding upon the screw -

X Int-26 And such binding would stop the motion

would it not?

Ans Yes -

x Int-27 Then is there not a difference between the operation of the slot & screw in the Beach & Pyle patent & the standard Exhibit-4?

Ans No -

x Int-28 Will not Exhibit-4 move without cutting-off or bending upon the screw?

Ans Yes - and so will the slot & screw in the Beach & Pyle patent -

x Int-29 Isn't there a difference in motion between the two devices?

Ans No - as far as the slot & screw goes there is not

x Int-30 Is it material in these Carriages what number of bows are taken to sustain the canopy?

Ans As I understand these Carriages the canopy is not sustained by any bows it is sustained by two standards

x Int-31 Would the number of bows & materials in a Canopy sustained by the standards In other words might it be a Canopy With one or more bows?

Ans To the first-question I answer no - The Richardson Carriage & Hubert - It has no bows in the Canopy - In Hubert-Bein & Ulrich there are four - Just how a Canopy can be made with one bow I don't as proposed in the question I don't understand -

x Int-32 Will you ^{look} at the Coggs well patent though the canopy as a whole cannot be thrown back as usual cannot the bars J. J be folded upwards & a part of the canopy between the bows G & G² be brought together & secured by any of the usual means as a strap?

Ans That part of the Carriage-top in ground of can be folded as the question supposes by opening the front at J just like any ^{common} Carriage top having joints attached to it the bows - There's no means of fastening them described in the patent that I now recollect of If then can perhaps the Counsel will point them out -

x Int-33 Cannot the bars J. J. be folded backwards with the bar J. J. left straight-

Ans Yes just the same as any ^{common} carriage top having two sets of joints connecting the bars -

x Int-34 And then will not the part of the canopy between the bars G & G² drop to the back of the seat in the same manner as shown by figures 1 & 2 of the original Bein & Hlrich patent & also move on a pivot in the same manner & almost in the same position from the front of the seat?

Ans No It will drop to the back of the seat but not in the same manner -

x Int-35 Why not in the same manner

Ans Because there are no means of fastening the canopy except by resting on the back of the seat while in the Bein & Hlrich patent there is a locking device for that purpose -

x Int-36 In the Bein & Hlrich patent ^{connecting the bars} is the front ⁱⁿ the middle of the bar F. perfect that is will it hold the canopy in any position?

x Int-36
Ans

Is the joint which connects the two parts of the standard of the Bein & Ulrich patent the part F & the part ~~shown~~ joined to the body of the Carriage for moving the Canopy from end to end of the body of the Carriage a perfect joint for the purpose for which it is designed that is will it sustain the Canopy in any position when the Carriage is in use?

Ans

Yes - Perfect of its kind but it would be better if it were furnished with a locking device such as the upper end of the bar F are furnished with for adjusting the Canopy - But I think such as it is when properly made it would sustain the Canopy in position in the ordinary use of these Carriages -

x Int-

x Int-37

What would be the use then at this joint of a locking device like that at F?

Ans

Simply ~~that~~ ^{that} be caused, without the locking device the joint must be made so as to turn harder than would be necessary when a locking device is used

x Int-38

Would the Canopy of the Coggswell ^{patent} in the position stated in Cross Interrogatory 34 be useful?

Ans I don't know what you mean by useful unless it be whether it could be used?

x Int-39 I mean would it be useful in shielding the occupant of the Carriage from either the Sun or the Wind - Please answer the question as thus & planned?

Ans No I think it would be useful under certain conditions for both the purposes in mind of -

x Int-40 And would not the whole canopy perform its functions just as well as the Bein & which if the Shaft D was replaced by a pivoting pin at each side?

Ans No

x Int-41 Why not?

Ans In the first the Shaft D is not in the right place for a pivot it is quite to the rear of the seat as will be readily seen while in the Carriage described in the Richardson Patent & in the Bein & which Patent the pivots are near to the front of the seat - this is important as will be obvious when we

Consider the top of a Carriage turned back on a pivot at D as inquired of in the same angle that the canopy in the Richardson Carriage is turned back on its pivot. It would be found that the Carriage-top of Coggs well ^{patent} is in a very different position from the canopy in the Richardson Carriage in relation to the seat so that if the Carriage of Coggs well ^{had the top} hung as the question supposes had the joint furnished with suitable locking devices then it wouldn't be good for anything for the purposes of these perambulation in my judgment. But there wouldn't be any locking devices in the hypothetical Carriage inquired of nor would there be anything that I can conceive of to support the top when thrown back as I have just supposed -

X Int 42 Do you understand that the top in the Coggs well patent is thrown back upon or turns upon the Shaft D.?

Ans No I don't understand that it is thrown back at all but I understand that it turns upon the Shaft D when it is thrown forward -

x Int-43 How is it folded upon the back of the seat as you understand?

Ans By doubling the points which connect the bow; turning the shaft D upon its journal so as to bring its arms down upon the seat & then folding down the top air points upon the ends of those arms, just like any common Camper-top -

x Int-44 How will it not perform ^{the} functions of being thrown forward or being folded around the seat with the bar D replaced by pivots just as well as the Berlin Wheel on pivots?

Ans No -

adjourned to 3.45 - 3.45 Examination resumed

x Int-45 Does not the bar D in the Cogswell patent allow the back curtain to be kept down & attached when the canopy is thrown forward to the position shown by the dotted lines shown in Fig. 1?

Ans Yes - I think so -

x Int-46 Will not the Cogswell Patent perform its

functions with pivots at each end of the shaft - D instead of the shaft?

Ans No not so well as with the shaft -

+ Int-47 What good does the shaft do other than support the back curtain while the canopy is being thrown forward?

Ans It keeps the two joints upon which the carriage top folds in proper relation to each other so that it is immaterial whether the carriage top is rigid or not -

+ Int-48 What keeps the joints in the Bein & Hirsch patent in proper relation to each other

Ans ⁵ The rigidity of the canopy & the two pins upon the side of the carriage body upon which the lower members of the supporting arms rest -

+ Int-49 To your knowledge was wooden tops for carriages known prior to 1854

Ans I don't recollect of any thing of the sort in this connection -

+ Int-50 Did you ever know of a rigid top to a carriage

being used prior to 1804?

Ans Yes -

x Int-51 Were not such rigid tops common prior to 1804?

Ans Yes

x Int-52 Would not a rigid top be best adapted to the Ofden patent as shown in Exhibit-8?

Ans Yes - that is a rigid top described in that patent. It is made rigid by means of the shaft which runs a cross from side to side & upon which it turns but it does not appear that it would be rigid without the shaft.

x Int-53 Will you look at the drawing & see if the top is not then represented as extending beyond the arms or standards?

Ans I should think it ~~was~~ is -

x Int-54 And does not that represent a canopy rigid in itself to so project?

Ans Not necessarily

x Int-55 Is not Exhibit-15 herewith presented a fair representation of the Ofden patent?

Ans No

x Int-56 In what respect does it differ?

Ans In the O'Jelen patent & according to the description thereof as I understand it - the shaft which connects the two sides of the frame of the top works up & down in vertical slots - as the top is swung up & down - In this model there is no such operation - The patent says - "I also fasten the bolts ff fig 1 upon the edge of the box of the seat - so that they enter the boxes as in fig 1 ff to hold the top firmly when raised" Now I am unable to understand that description & so I can't say whether the two pieces against which the top rests when swinging up in the model are according to the patent or not - The patent don't describe them so that anybody can know - It is a matter of guess-work whether they are like it or not -

In this model there is a lever attached to the lower one of two shafts which when sprung in behind a projection on the Carriage-top holds it from being turned back & there is no description of any such springing lever ^{in the patent} to hold the Carriage top from going back - On the contrary the patent says "I fasten the said top to the ends of Shaft-a - fig 1 - firmly on the outside of the body; Shaft-a fig 1 plays up & down freely in

Slots made in each side of the body or box
so that ^{the said} shaft rises when the top is let down
or lowered & falls to the bottom of the slots when
the top is raised up. Below shaft a fig. 1.
I place shaft c fig. 1. I attach to said
shaft c fig. 1. a lever e fig. 1. & an eccentric
circle & hook marked d in fig. 1 to each
end of shaft c in fig. 1 so that by raising
lever e fig. 1 the hooks pass over the shaft
a fig. 1 & hold it down to the bottom of the
slots. " . . .

Now I understand from this it is the
hooks upon the lower shaft that keep the
carnage top from turning back in the patent
but there's no such holding of the hooks in
the model; so that if the lever be sprung
out of track of the pin there is nothing
to prevent the top from swinging clear down
to its place without raising the shaft in
the slots to any appreciable degree - so that
it's mainly the lever which holds up the top in
the model & not the hooks, while in the patent
it is the hooks & not the lever -

+ Jul-57 In the model would the lever hold up the top
without the hooks?

Ans Yes - unless the top was raised up so as to let the
pin slip over the top of the lever -

+ Int 58 Will you refer to the Drawing & see if on the Standard near to letter g a pin is not represented with the lever & spring behind it?

Ans There is no pin represented with the lever & spring behind it -

+ Int 59 Is there any pin represented in the Drawing?

Ans Not at g. There is no pin represented there -

~~+ Int~~

+ Int 60 Is there a pin represented on the Standard?

Ans No - I suppose by Standard you mean what the patent calls bows -

+ Int 61 Will you look at Exhibit 16^{herewith presented} & see if it is a fair representation of the Standard & Canopy in the Hall & Patten patent?

Ans It is not -

+ Int 62 State why?

Ans It has not the proper curving for the top - It either should have no curving at all or it should have a different one -

+ Int 63 What kind of a covering would be proper to conform to the patent?

Ans Such as is commonly used in carriages - tops having bows because the patent says among other things

"The nature of our invention consists in constructing the bows with joints in the manner hereinafter to be set forth so that the desired stiffness should be given the top when spread by the bows themselves & when folded the top will be packed close around the seat of the vehicle"

Now this model does not represent any seat & is deficient in that respect - there is a seat in the drawing - but if there was a seat in this model ~~it is~~ as is represented in the drawings then the top could not be packed close around the seat of the vehicle because there is not enough of it - It can only be packed at the back of the seat of the vehicle - ~~However~~
~~in this model the joints in the bows are so made~~

x Int-64 Does not the patent say "Int-Fig 1 of the Drawing A. A. A. represents the arms and back of a carriage seat. B. B. represents two bows for supporting a covering for the top of cloth or other material"

Ans Yes

x Int-65- Then the material of ~~the~~ covering ^{the} off top is right enough is it-

Ans Yes -

gibson

b

XX 16

+ Int-66 An not the means for holding the canopy in any desired position as good in this patent as in the Bein Helrich?

Ans No -

+ Int-67 What does it lack?

Ans Locking apparatus in connection with the joints -

+ Int-68 Will it not sustain the canopy in any desired ^{position} as well as the middle joints of the standards in the Bein Helrich?

Ans Yes it will answer quite as well in one as in the other if the joints are made as well in one as in the other

+ Int-69

+ Int-69 If ^{constructed the same} made as well do not the four joints in the Hall & Patten patent give double the bearing surface of the two joints in Bein Helrich patent?

Ans The true answer to that question is No - because there is no four joints in one in place of two joints in the other when nothing but the joints is depended upon to hold - if then were then everything else being equal it would take twice as much power to turn two joints as to turn one & therefore twice as much to turn ^{four} joints as to turn two -

x Int-70 In what positions in the Beech Helmch patent
are the joints spoken of ^{in my last answer} depended on to
sustain the Canopy?

Ans The two joints at the lower end of the arm F are
what I referred to but I did not mean to say that
there were corresponding joints in the Hall &
Patten patent for there is not -

x Int-71 In what positions are said two joints at the
lower end of the arm F depended upon to
sustain the Canopy?

Ans When the other arms which are jointed to
the arm F rest down on the pins of the
Canopy body ^{towards} ~~at~~ one end or the other as the
case may be -

x Int-72 ^{In} The Hall & Patten patent the Canopy can be thrown
either forward or back of the seat - Can it not do
any extent?

Ans No not to any extent - It can be thrown back ^{ward}
& forward -

x Int-73 State the limit forward & back of the seat?

Ans I can't state the limits but the lower member
of the hoops can be swung through about a
hundred & eighty degrees I think -

x Int-74 Either way I suppose you mean forward or back.

Ans Yes - ~~but~~ When they are clear forward they can be swung one hundred & eighty degrees back & when they are clear back they can be swung one hundred & eighty degrees ^{forward} ~~back~~

& Int-75 And then held at the limit forward & back
Can it not?

Ans Yes after a manner

& Int-76 And will not the Hall & Patten patent sustain the Canopy in any intermediate position?

Ans Yes if the ^{joints} ~~arms~~ are properly constructed. ~~but~~ for that purpose

& Int-77

And the joints can be as easily constructed for that purpose as in the Bein & Ulrich patent
Can they not?

Ans They can be as easily constructed for the purposes of holding when they are set as the joints at the foot of the arms F in the Bein & Ulrich Can be - The joints to which I now refer are those shown at C.C in Figs 1 2 3 in the Drawing - the joints at D & D in the several Drawings can not be made to work like the joints at the upper end of the arms F in the Bein & Ulrich patent however they may be constructed - this is because the joints at D are four in number & on four

separate arms in the Hall & Patten Contrivance
each joint occupying a different position
in relation to ~~the~~ its corresponding joint upon
the same side of the Carriage-top; while in the
Bein & Hirsch there is only one joint on each
side of the Carriage-top & must always occupy
only one position for the time being -

x Feb-78 Is there any difficulty in constructing each of
the joints D D in the Hall & Patten Contrivance
so that it will have the same sustaining power
as the joints at the lower end of the arm F.
in the Bein & Hirsch

Ans No - I have already stated this in substance
on this Cross Examination

x Feb-79 Then if the Canopy ^{in the Hall & Patten Patent} were in a single piece & rigid
the inventions described in said patent would
operate the same as they do with the canopy
specified in said patent with the exception of
folding around the seat - would they not?

Ans No

x Feb-80 In what respects not?

Ans If the Canopy in the Hall & Patten patent were
rigid the joints at D could not be operated
at all for any practical purpose neither for folding
down around the seat nor for any thing else

described in the patent -

Q Int-81 Will you now look at Exhibit-16 with a rigid canopy attached & see if the joints at D do not operate exactly the same as with a cloth canopy & except that the bows cannot be brought nearer together than the rigid canopy allows?

Ans This is not a rigid canopy in this model. The canopy in the Hall & Patten patent if it be a canopy must according to that patent extend down to the secondary joints at D. In this model the bows are jointed to a rigid top so that they turn in that top - There is no such construction described in the Hall & Patten patent -

Q Int-82 Does the Hall & Patten patent say anything about the bows supporting a covering for the sides?

Ans Yes - But not in the terms of the question - It says that when the top is folded down it comes around the seat - It can't do that unless it comes as far as the secondary joints at D or thereabouts - I have already quoted from that patent this point as being of the essence of the invention according to the statement of the patentee

Q Int-83 Should you think it required any invention to cut off the sides of the top which you describe as the top of the Hall & Patten patent?

Ans No - but if it were cut off it wouldn't comply with the patent & wouldn't be any better but would be worse than if it were not cut off

Q Int-84 Look at Exhibit-17 here produced and state whether a canopy will not operate well having one standard the same as Exhibit-4 & another the same as the Hall & Patten patent?

Ans No it ^{will} ~~cannot~~. But the model has ^{Exhibit 17} ~~nothing~~ ^{or nothing} to do with the question because it doesn't contain what is described in the Hall & Patten patent nor does it contain what is represented in Exhibit-4

Q Int-85 Look at Exhibit-18 now produced & say whether the canopy will operate well with one standard like the Richardson patent and another like Exhibit-4?

Ans No it will not -

Q Int-86 Will not a canopy with standards like Exhibit-17 operate better than a canopy with standards like Exhibit-18

Ans Yes - But neither of them will operate as the Richardson Contrivance operates or the Exhibit

~~Int-86~~ Bein & Ulmer because there is no locking apparatus in either of them Models in ground of -

+ Int-87 Has the locking apparatus anything to do with the motion of the standards
 Ans Yes

+ Int-88 How?

Ans It prevents the motion when you don't want it & allows you to fix it when you do want it

+ Int-89 Has it any thing to do with the denotions of the motions?

Ans Yes it enables you to move it back ward & forward when you want it & to keep it from moving backward or forward when you don't want it - It has nothing else to do with the motion I believe except to control the extent to which boxes place -

+ Int-90 In Exhibit-17 Calling that the front on which the crop is cut & considering the right hand standard standing with its surface to the back of the Carriage When you move the canopy forward which of the two braces is the main ^{supporting} brace that standard the outer or the inner one?


Ans Neither of them - There is no supporting standard to keep the thing in place - It can oscillate to

& so without any support -

x Int-91 Which if either of them is the main brace?
Ans Neither of them then is no brace in it -

x Int-92 Taking Hub-4 & placing it in the same position & moving the Canopy forward which is the main brace

The one that has ^{long slot in it} the ~~bolt~~ ^{which the bolt slides} ~~fastener~~ in it ^{when the bolt is secured fast}
Which ever way you move it - This ~~other~~ might be cut-away as I said in my direct Examination in this case from the Canopy down to the long slot provided the main standard was connected rigidly to the Canopy -

x Int-93 

Int-93 Are the bars represented in the Hall & Patten patent the one inside of the other as they are in the Model Hub-16?

Ans No they are not - It may be seen by reference to Figure 3 of the Drawings at D. D. ^{D.D.} when the two short-arms of the bars are folded down one upon the other the upper ones ^{lie} directly upon the lower ones but do not go down between the lower ones nor out side of them either -

Int-94 Could front like the upper ones in the model
 Exhibit-16 serve the purposes of the front-d.d.d.d.
 described & shown in the Hall & Patten patent?

Ans I think they might but I do not think that
 those in the model are like those in the patent

Hervey Waters

~~Subscribed & sworn to before me~~

~~Attest E. Jones~~

~~Justice of the Peace~~

Attest, W. E. Perkins

Notary Public

Shelton, N.H.

Waters for Shelton

Probably the same - See of any of the
 like models - for New York & Adams
 Patent with bill as per notation

Richardson

v.

Woyce

Evidence for Bonfille

Deposition of
Henry Watson

Printed by H.

THE U. S. PATENT OFFICE.



To all persons to whom these presents shall come, Greeting:

This is to certify That the annexed is a true copy from
the Records of this Office of the Letters Patent
granted Hall, Aed, Patten, dated Nov
22nd 1859. N^o. 26, 183
For "Impt in Carriage Pals."

In testimony whereof, I,

Ellis Spear

Acting Commissioner of Patents, have caused the seal of the
Patent Office to be hereunto affixed this Seventeenth
day of September in the year of our Lord one
thousand eight hundred and seventy-five, and of the Independence
of the United States the one hundredth.

Ellis Spear

Acting Commissioner.

Exhibit 9
H. Spear
Examiner
Richmond, Va. No. 26
U.S. Pat. Office
\$551 Equity

THE UNITED STATES OF AMERICA.

To all to whom these Letters Patent shall come:

Whereas *Wm. H. Russell & Co.* have
Warrenton, Oregon

have alleged that *they have* invented a new and useful

Improvement in Paper Ties.

which *they* state has not been known or used before *their* application;
that *they* do verily believe, that: *they* are the original and first inventors
or discoverers of the said *improvement*, and that the same has not, to
the best of *their* knowledge and belief, been previously known or used
have paid into the TREASURY OF THE UNITED STATES the sum
of *Twenty* dollars, and presented a petition to the COMMISSIONER OF PATENTS,
signifying a desire of obtaining an exclusive property in the said *improvement*
and praying that a patent may be granted for that purpose

THERE ARE THEREFORE to grant, according to law, to the said
Wm. H. Russell & Co. their heirs, administrators,
or assigns, for the term of *fourteen* years from the
day of *November* one thousand eight hundred and *fifty-nine*
the full and exclusive right and liberty of making, constructing, using, and vending to others
to be used, the said *improvement*, a description whereof is given in the words
of the said *Wm. H. Russell & Co.*
in the schedule hereunto annexed, and is made part of these presents

IN TESTIMONY WHEREOF, I have caused these letters to
be made Patent, and the seal of the PATENT OFFICE
has been hereunto affixed.

GIVEN under my hand, at the City of WASHINGTON,
this *twenty-second* day of *November*
in the year of our Lord one thousand eight
hundred and *fifty-nine* and of the
Independence of the United States of America
the *seventy-fourth*

John A. B. Johnson
Secretary of the Interior.

Counter-signed, and sealed with the
seal of the Patent Office.

John A. B. Johnson

Commissioner of Patents.

The schedule referred to in these
Letters Patent and making part
of the same.

Be it known that we, A. J. Hall
and Russell Patten, of Morris town,
in the County of Lamoille, and
State of Vermont, have invented a
new and useful mode of constructing
carriage tops, and we do hereby de-
clare that the following is a full,
clear, and exact description of the
construction of the same, reference
being had to the annexed draw-
ing making a part of this speci-
fication in which.

Figs 1, 2 and 3 are perspective views
representing the carriage top in dif-
ferent positions.

The nature of our invention
consists in constructing the bows
with joints in the manner here-
in after to be set forth, so that the
desired stiffness will be given the
top when spread by the bows
themselves, and when folded the
top will be packed close around
the seat of the vehicle.

To enable others to construct and

use our invention, we give the following description.

In Fig. 1 of the drawing: A A A. represents the arms and back of a carriage seat B B. represents two bows for supporting a covering for the top of cloth or other material. C C. are ears of iron or other material for confining the terminations of the bows in such a manner as to enable them to move forward or backward in folding. D D D D. are folding joints by which the bows are enabled to be folded and dropped down upon the arms and back of the seat as represented in Fig. 2. Fig. 3 represents the top thrown forward so that the front bow rests in a horizontal position, and the back bow partially folded, the upper section standing perpendicular from the joints at the front of the arms of the seat, thus covering the carriage in front and forming a protection against storms or dust.

Having described our invention, we claim as new and desire to secure by Letters Patent.

The construction of bows for folding carriage tops with joints, substantially as and for the purposes set forth.

Witnesses
J. W. Swasey
Dudley Swasey

A. J. Hall
Russell Patten

A. J. Hall & R. Patten.

Carriage Top.

No 26, 183.

Patented Nov. 22, 1859.

Fig. 1.

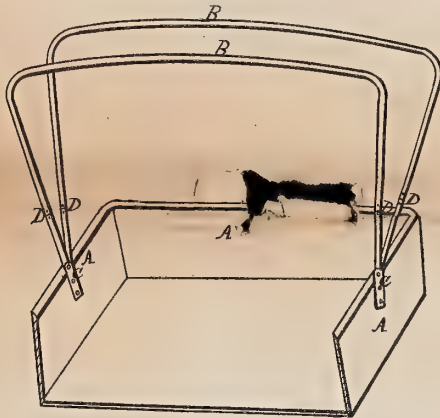


Fig. 2.

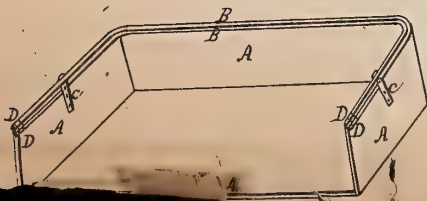
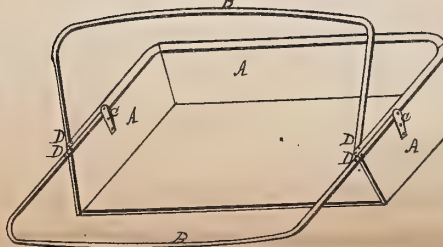


Fig. 3.



Witnesses.

Dubley Swasey
(D. Swasey)

Inventors.

A. J. Hall.
Russell Patten.
(H. E.)





U.S. Circuit Court
District of Mass. In Equity

Richardson et al
V. Hayes et al

Exhibit R

H. R. Perkins

Examiner

Circuit Court of the U.S.
District of Mass.
In Equity.

Richardson vs. ~~Exhibit A~~
Noyes vs. ~~Exhibit A~~
[65]
W. L. Perkins
Examiner

THE U. S. PATENT OFFICE.



To all persons to whom these presents shall come, Greeting:

This is to certify That the annexed is a true copy from
the Records of this Office of the Pending Patent
granted, Peirce, and Ulrich, Dated, February,
11th 1868. No. 74,284.

For "Impt in a Bicycle Carriage."

In testimony whereof, I,

Ellis Spear

Acting Commissioner of Patents, have caused the seal of the
Patent Office to be hereunto affixed this

day of July

in the year of our Lord one
thousand eight hundred and seventy-five
and of the Independence
of the United States the ninety-eighth.

Ellis Spear

Acting Commissioner.

The United States of America



TO ALL TO WHOM THESE LETTERS PATENT SHALL COME:

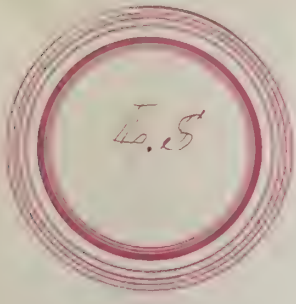
Whereas Julius Reiss and William Ulrich, of Newark,
New Jersey,
has alleged that they have *invented a new and useful*
Improvement in Childrens Carriage

and have made oath that they are Citizens of the United
States *that they verily*
believe they are the original and first inventors or discoverers of the
said Improvement and that the same hath not to their knowledge and belief been
previously known or used; have paid into the Treasury of the
United States the sum of Thirty-five dollars, and presented a petition
to the COMMISSIONER OF PATENTS praying that a patent may be issued therefor.

There are Therefore to grant to the said Reiss and Ulrich,
their executors, administrators, or assigns, for the term of
Twenty years from the Eleventh day of February, one thousand eight
hundred and sixty-eight, the full and exclusive right and liberty of making,
using and vending to others to be used, the said Improvement a description
whereof is given in the annexed schedule, and made a part of these presents.

In Testimony whereof, I have caused these Letters to be
made Patent and the Seal of the **PATENT OFFICE** *to be*
hereunto affixed.

GIVEN under my hand at the City of Washington this
Eleventh day of February, in the year of our Lord
one thousand eight hundred and sixty-eight, and of
the Independence of the United States of America
the Ninety second



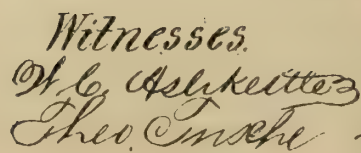
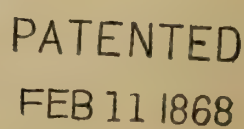
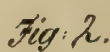
Countersigned and Sealed with the
Seal of the Patent Office.

W. J. Atto, Acting
A. M. Bout, Acting

Secretary of the Interior.
Commissioner of Patents.

74284

Fig: 1.



Inventor.

J. Bein

St. Albans

per Munn & Co
Attorneys.

Exhibit A, W. E. R. ...
Spec. Patent of the United States No. 74,284

United States Patent Office.

Granted JULIUS BEIN AND WILLIAM ULRICH, OF NEWARK, NEW JERSEY.

Letters Patent No. 74,284, dated February 11, 1868.

IMPROVEMENT IN CHILDREN'S CARRIAGE.

The Schedule referred to in these Letters Patent and making part of the same.

TO ALL WHOM IT MAY CONCERN:

Be it known that we, JULIUS BEIN and WILLIAM ULRICH, of Newark, in the county of Essex, and State of New Jersey, have invented a new and improved Children's Carriage; and we do hereby declare that the following is a full, clear, and exact description thereof, which will enable those skilled in the art to make and use the same, reference being had to the accompanying drawings, forming part of this specification, in which—

Figure 1 represents a side elevation, partly in section, of our improved children's carriage.

Figure 2 is a similar view of the same, showing the seat and top reversed.

Figure 3 is a side elevation of the same, showing the top supported above the middle of the carriage.

Figure 4 is a vertical transverse section of the same, the plane of section being indicated by the line *x x*, fig. 3.

Similar letters of reference indicate corresponding parts.

This invention relates to a new children's carriage, which is so arranged that the seat and top can be reversed, and that the latter may be supported above the middle of the carriage, to act as a sun-umbrella.

The object of the invention is to provide a children's carriage, so that the top and seat may be reversed, to let the child be protected from the rays of the sun, or from wind.

The invention consists in making the two ends of the carriage-body nearly alike, and in also making the supporting and back-boards of the seat nearly alike, or so that they correspond to the shape of the respective ends of the body.

The seat is thus made L-shaped, and, at the junction of its boards, are arranged pins, projecting from the ends into grooves that are arranged in the sides of the body. Around these pins the seat can swing, so that when it is pushed to either end of the body, that board nearest to such end can be turned up, so as to form the back of the seat, while the other board will form the seat. When the seat is moved towards the opposite end of the carriage-body, that board which was the seat will be the back, and the former back will become the seat.

The invention also consists in supporting the carriage-top, which is otherwise arranged as usual, by means of bars that are pivoted to the side boards of the carriage-body, in such a manner that the top can be swung over either end of the body, and can be fastened there by means of a suitable spring-catch.

A, in the drawing, represents the body of a children's carriage, made of suitable material, of suitable size and shape. It is supported upon three or more wheels, B B, and is provided with a bar or bars, C, for drawing or pushing it forward. D is the seat. The same is L-shaped, consisting of two boards, *a* and *b*, both suitably upholstered or cushioned, as may be desired. From each end of the seat, at the junction of its two boards, projects a pin, *c*, which fits into a groove, *d*, in the adjoining side board of the carriage-body. The seat can be moved in these grooves to either end of the carriage-body, and can be turned on the pin, so that it can be adjusted in either end of the body, in the manner shown in figs. 1 and 2. E is the carriage-top, constructed in the ordinary or suitable manner. The bows *e e* are pivoted to plates *f*, which, instead of being firmly secured to the carriage-body, are fastened to jointed or stiff bars, F, which are pivoted to the side boards of the body, in the manner shown in figs. 1 and 2. The top can thus be swung to either end of the carriage-body, as indicated in the drawings, and can be fastened by means of spring-catches, *g*, as shown. By having a bent plate, *h*, attached to one of the plates *f*, which passes through a slot in the bar F, and by means of a thumb-screw, *i*, the top can be always fastened over the middle of the carriage-body, substantially as shown in fig. 3. Thus it will be seen the seat, as well as the top, can be reversed on the body of the carriage, so that a child can be easily protected from injurious or annoying effects of the sun or wind.

We claim as new, and desire to secure by Letters Patent—

1. In the children's carriage, the reversible seat and top, constructed substantially as herein specified.
2. Pivoting the top E, of a children's carriage, to bars F F, which are pivoted to the sides of the carriage-body, substantially as herein shown and described.
3. Providing the L-shaped seat D, of a children's carriage, with pins *c c*, which fit into grooves *d*, in the sides of the carriage-body, substantially as described, so that the seat can be easily reversed, as set forth.

JULIUS BEIN,
WILLIAM ULRICH.

Witnesses:

H. BARKHORN,
H. F. KRAFT.



Sept 9	10 - 100 - 100	100
"	10 - 100 - 100	100
"	10 - 100 - 100	100
"	10 - 100 - 100	100
"	10 - 100 - 100	100

100
 100
 100
 100

June 6, 1876

351

Richardson & Co

200

Wagon & Co



New & Co
Exclusive
Judge's Pack
for

Mount Judge

	Days	
Kearney Watson	2 + 1 + 1 = 4	Boston
Holley	1	"
Richardson	1	3 — Somerville
Wetzel	1	Boston
Ware	3	"
Johnson	1	12 — Waltham
Humpherson	1	Boston
Wicks	1	7 — Medford
Baggs	1	7 — "
Leahy	1	Boston
McLennan	3	3 — Somerville
Brown	1	Boston
McIntire	1	"
Heyward	1	13 — Randolph
Thayer		

45.00
 21 days. 45.00
 10.50
 31.50
 4.50
 36.00



$$\begin{array}{r}
 568.73 \\
 88.00 \\
 66.00 \\
 \hline
 1022.73 \\
 1023.23
 \end{array}$$

$$\begin{array}{r}
 915.53 \\
 147.70 \\
 \hline
 1023.23
 \end{array}$$

$$\begin{array}{r}
 1226.53 \\
 436.83 \\
 \hline
 1763.36
 \end{array}$$

C. C. H. S.
Mass Dist.

No. 557

Richardson et al v Roy et al

Compt's A/c

Pril entry &c		11.00
March 1st for Service &c		14.96
To 4 Series @ 2.64	10.56	
att. 4 @ 33	1.32	
To May 1st 1876, 2.64	2.64	
att 10 days.	3.30	
To 3 Rubs	2.64	7.92
att	33	99
		26.73

Chk's for

Feb 14.00
 Dec 11.50
 47 3.00
 Court M. 90
 Dec 1.00
 Rec. 10.00

23.40

Atty fee Su case & 20.00
 " " on 2nd depoz 50.00

70.00

To Examines taking testimony
 Master's fee
 Printing Record
 Witness fees:

165.00

20.00

783.92

36.00

\$ 643.95

Add inj. if issued service of,

75.
 7.00

1. 1. 1.

Exhibits introduced in rebuttal.

Exhibit	Cracker Joint -	carriage.
"	L.	cut of carriage.
"	M.	book.
"	N.	"
"	O.	carriage.
"	Sales Book.	book.
"	P.	photographs
"	Q	photographs
"	Biggs	specimen of canopy top
"	R	Sketch of cracker joint
	S	note of Mar. 1.73
	T	" " Apr 1.73

Richardson
Noyes

Richardson
Schmidt

54 DEVONSHIRE STREET,

BOSTON, July 30 1878

Dear Sir

Will you oblige me
by assenting hereto to the
withdrawal of complainant's
exhibits in the case of Richardson
v Hoyer Circuit Ct - U.S.
in eq. If from the files
Yours truly

T. S. Livermore

I assent to the withdrawal of
the exhibits above mentioned.

For the Defendant

James H. Hoyer

Defendant - Hoyer

501 Old Ferry Rd

R

Richardson v

Goyes

Richardson

" U

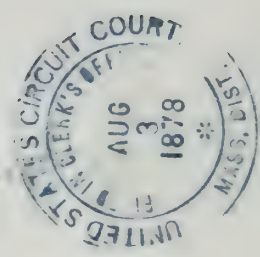
" I

" K

" O

62

" H



UNITED STATES OF AMERICA.

Massachusetts District, ss.

To Baxter B. Hayes and
Oscar G. Stratton both of
Greenfield in the County of Franklin
in the Commonwealth of Massachusetts
partners under the firm name and
style of B. B. Hayes & Co.

GREETING:

FOR CERTAIN CAUSES, offered before the Circuit Court of the United
States of America, for the first Circuit, within and for the Massachusetts District, as
a Court of Chancery, WE COMMAND AND STRICTLY ENJOIN YOU, laying all other
matters aside, and notwithstanding any excuse, that you personally be and appear
before our said Circuit Court at the Rules, to be holden at the Office of the Clerk of
our said Court, in Boston, in said District, on the first Monday, being the

Fifth day of *April* next, to answer to a Bill
of Complaint exhibited against you in our said Court, wherein

Lorenzo H. Richardson of Westfield
in the County of Hampden and George
McKee of Boston in the County of
Suffolk in said Commonwealth partners
under the firm name and style of Richardson
McKee & Co, citizens of said Commonwealth and
of the United States are Complainants and you are Defendants;
and to do further and receive that which our said Circuit Court shall consider in this
behalf. And this you are in no wise to omit, under the pains and penalties of what
may befall thereon.

Witness, the Honorable *Morrison P. Waite* at Boston,
this *fourteenth* day of *March* A. D. 1875, in
the ninety *ninth* year of the Independence of the United States of America,

Alex. H. Troubridge
Deputy Clerk.

MEMORANDUM. The defendant is to enter his appearance in the suit in the
Clerk's Office on or before the day at which the writ is returnable, otherwise the bill
may be taken *pro confesso*.

United States of America,
MASSACHUSETTS DISTRICT, SS.

Greenfield & Boston 16th Mar 1875

I hereby certify that I have served the within Subpoena by giving in hand to the within named Dejar G. Stratton & Baxter D. Noyes, each a true and attested copy of the same

*Fees
Sew. 4.
Exp. 9.90
Copies 1.
\$14.90*

Robert Green

} United States
} Marshal.

*1912
5371*

In Equity,

George A. Picard

Baxter D. Noyes

SUBPOENA,

RETURNABLE, *Paul* RULES,

To wit, *Paul's* 1875.

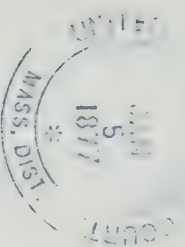
J. L. Duesman
Attorney.

Louise H Richardson et al (Circuit Court of US
vs.) out of Mass
Baxter B Hoyer et al In Eq

It is agreed that judgment
for plaintiffs for twelve
hundred dollars, and
for taxable costs may be
entered. Costs to be taxed
by the Clerk of the Court.
Honatio G. Parker for Defs.
T. L. Severmore for pffs

George W. Richardson
vs
Parties 13 May 1877

Agreement for
Judgment



Circuit Court of the United States
District of Mass -

Richardson & al
Noyes & al.

December 8th 1875.

John G. Stebbins Esq

Clk U. S. Circuit Court

I hereby certify that Hervey Waters,
Henry Holly, Henry M. Richardson, George
M^c Kee, Benjamin T. Mace, George E.
Johnson, William P. Thompson, Luther
C. Pinks, William H. Browne, James
F. M^c Intire, William T. Hazard,
Henry Biggs, ~~Henry M. Richardson~~,
Edward W. Cody whose depositions are
above given, were duly sworn to tell the
truth the whole truth, and nothing but
the truth, on the following days:

Hervey Waters July 16th 1875
Henry Holly July 16th 1875
Henry M. Richardson July 16th 1875
George M^c Kee July 16th 1875
Benjamin T. Mace Oct 15th 1875
George E. Johnson Oct 21st 1875
William P. Thompson Oct 21st 1875
Luther C. Pinks Oct 23^d 1875

William H. Browne	Oct 28 th 1875
Henry Biggs	Oct 28 th 1875
James F. McIntire	Oct 28 th 1875
William T. Hazard	Oct 28 th 1875
Henry M. Richardson	
(Second deposition)	Oct 28 th 1875
Edward W. Boddy	Oct 30 th 1875
Hervey Water	
(Second deposition)	Oct 30 th 1875

William E. Perkins
Notary Public and
Special Examiner

Richardson

v.

Nov 24

Certificate of attendance
of contributors

Boston December 8th 1875

Mefer Richardson & McKee

to W. E. Perkins

Dr.

to taking testimony in case of Richardson
et al v Noyes et al at \$20 per diem

July	16 th	(whole day)	\$ 20
	22 ^d	half "	10
Oct	15 th	" "	10
	21 st	whole "	20
	23 ^d	half "	10
	28 th	whole "	20
	29 th	" "	20
	30 th	half "	10
Nov	2 ^d	quarter "	5
Oct	30	} two days (Jones)	40
Dec	8 th		<hr/> 165

Received payment

W. E. Perkins

Master per chg^t to T. L. Linnan \$ 20.

George W. Richardson

—
or

Baxter & Houghton

Macintosh

Examine seals

for press

Lorenzo N. Richardson et al } U.S. Circuit Court
 vs. } District of Mass.
 Dexter S. Noyes et al } In Equity
 Witness certificate

We, the undersigned hereby certify that we have attended as witnesses for the plaintiffs in the above entitled case the number of days and traveled the number of miles set opposite our names

	Days	Miles
Edward W. Goady	1	2
Benjamin T. Mace	3	2
Henry Bigger	1	12
Henry M. Richardson	2	2
Henry Holley	1	2
J. C. Link	1	12
George E. Johnson	1	20
Wm Thompson	1	5
J. H. McIntire	1	4
James, Water	4	2

by J. H. McIntire

There were seven witnesses
 and the witness appeared for the

George W. Richardson
Bapt. B. M. M. M. M. M.

Certificate of virtues

C. C. U. S.
Mass. Dist

No. 551 Richardson et al. v. Hayes et al.

Complete Costs

Bill entry &c. 4.00
Marshal fees, service &c. 14.90

To 4 Terms @ 2.64 10.56

Att. 4 " @ 33 1.32

To May T. 1876 2.64 2.64

Att 10 days. 3.30

To 3 Rules 2.64 7.92

Att. 33 99

26.73

Clerk's fees:

Feb 4.00

Dec 4.50

Oct 3.00

Jan. 1.90

Dec. 1.00

Rec. 10.00

23.40

Atty fee in cause 20.00

" " on 20 depositions 50.00

70.00

Pd. Examiner taking testimony

165.00

Master's fees

20.00

Printing Record

283.92

Witness fees

36.00

643.95

Add Sur. of issued service of

Assessors to be corrected. H. Parker for 2.96

No 557

Richardson

2.
Deyco of al

Carab

Mats, Afghans, Robes, Lamps, Straps, Trimmings, &c.

IN GREAT VARIETY.

ENAMELLED CLOTH

AT MANUFACTURERS PRICES.



In order to meet the constantly increasing demand, we have greatly improved our facilities and can now furnish 15,000 CARRIAGES a year. We have a Factory for manufacturing our wood work and can warrant every part. Our painting and ornamenting is under the supervision of one of the best artists. Our upholstering and trimming will bear comparison with any. We would invite special attention to OUR PATENT STEEL SPRING now acknowledged to be the best in use. Having a house in BOSTON and in NEW YORK, gives us great advantages, in securing bargains in all the materials used in Painting, Upholstering, Trimming &c., also, in determining the Leading Styles and Patterns.

Grateful for past favors, we shall endeavor to merit a continuance of the patronage so generously bestowed upon us.

RICHARDSON & DUTTON.

D. T. Mace

U.S. Circuit Court in Equity
District of Mass.
Richardson & Dutton
New York

Exhibit L
W. E. Perkins
Examiner

PRICE LIST

—OF—

Children's Carriages,

MANUFACTURED BY



Richardson & Dutton,

77 UNION STREET,

BOSTON.

CENTRE MARKET BUILDING,

NEW YORK.

FACTORY, 61 & 63 HAVERHILL STREET, BOSTON.

1873.

Price List, 1873.

No.

- 1 Is a Cab, with single Joints, steel springs and wood axle \$5.00
- 2 Same as No. 1, with front wheel..... 5.75
- 3 Is a Gipsey, with round top, single joint, hung with thorough braces, on a Wood axle.....6.50
- This and all succeeding Nos. have covered bows and lights in side and back curtains
- 4 Same as No. 3, with front wheel.....7.25
- 5 Is a Gipsey, with double joints, and wood axle.....7.25
- 6 Same as No. 5, with front wheel.....7.75
- 7 Is a Gipsey, with single joints, and iron axle,7.25
- 8 Same as No. 7, with front wheel.....7.75
- 9 Is a Gipsey, with double joints, and iron axle,7.75
- 10 Same as No. 9, with front wheel.....8.50
- 11 Is a Gipsey, full plated, double joints, and iron axle.....8.75
- 12 Same as No. 11, with front wheel.....9.50
- 13 Is a lined Gipsey, double joints, leather front strap.....10.00
- This and all succeeding Nos. have iron axle.
- 14 Same as No. 13, with front wheel.....10.50
- 15 Is a lined Gipsey, full plated, double joints,.....10.50
- 16 Same as No. 15, with front wheel.....11.00
- 17 Is a Gig, with double spring gear, head lined, Brussels carpet, half oval tires, and scroll standard.....11.00
- 18 Same as No. 17, with front wheel.....11.75
- 19 Is a Gig, same as No. 17, with full plated joints.....11.75
- 20 Same as No. 19, with front wheel.....12.25
- 21 to 34 are Gigs, from \$11.00 to \$30.00 to order.

No.

- 35 Is a Perambulator, with 4 wheels, iron axle, steel springs single joints.....\$10.00
- 36 Is a Per., with 4 wheels, half oval tire, iron axle, best steel springs, single joints, covered bows, curtains roll up, with lights in side and back, and has raised panels on side.....11.00
- 37 Is a Per., same as No. 36. with tips on handle.....11.50
- 38 Is a Per., same as No. 37, with double joints.....12.00
- 40 Is like 38, with Brussels carpet and better strap.....13.00
- 41 Has long raised panel and better painted.....14.00
- 42 Same as No. 41, with head lined.....15.00
- 42 1-2 Same as No. 42, with stuffed top.....16.00
- 43 Same as 42, with plated double joints and dash rail....17.00
- 44 Is upholstered with rep or broadcloth. has plated double joints and dash rail.....18.00
- 45 Same as No. 44, with stuffed top.....20.00
- 46 Is a Per., with welted and stuffed top, has handsome stitched front, with full plated joints and dash rail.....22.00
- 47 Same as No. 46 with roll back seat.....23.00
- 48 Is a roll back Per., with heavy nickel plated trimmings 24.00
- 49 Is upholstered with French silk cotteline28.00
- 50 Same as No. 49, with extra head lining.....30.00
- 52 Is upholstered with silk, and has gold plated trimmings\$40.00 to 60.00

Our Patent Steel Spring with Cross Bar attachment on Nos. 41 and upwards \$2.00 extra.

We offer to the Trade this season Our Improved Canopy Top: This is a New and Elegant Carriage, of Handsome and Novel Design:—We can furnish them at prices varying from \$20.00 to \$60 00 according to finish and upholstering.

Twin Carriages, 50 per cent advance on price of single ones.



March 1 1875

M. Richardson, Cutter

BOUGHT
OF

EDWARD GODY,
BRASS FOUNDER,
No. 33 HAWKINS STREET.

Shims

1.1

1.11 1/2

1.4 1/2

Castings

2.0

1 75

2.1

5.

5

"

"

1 55

2.4

1 1/2

"

"

1 70

2.7

1

"

"

1 60

\$6.50

Rest of my
Edward Gody

U.S. Circuit Court
District of Mass. 3rd in Equity

Richardson & al
v
Noyes & al

Exhibit S

W.E. Perkins
Examiner

Edw. Peck
paid March 1, 1873
\$6.50

BOSTON



April 1 1873

M. Richardson & Tuttle

BOUGHT
OF

EDWARD GODY,

BRASS FOUNDER,

No. 33 HAWKINS STREET.

March	5	$\sim \frac{1}{4}$ lbs	Castings	2	75	
	6	$\frac{1}{4}$	"		69	
	8	5	14	2	23	
	14	$35\frac{3}{4}$	Res Payment	13	52	18,65
April 2nd 1873						
Edward Gody						

U.S. Circuit Court,
District of Mass. & in Equity

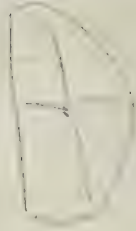
Richardson vs

Noyes vs

Exhibit D

W.E. Perkins

Examiner



Colver County
March 5th 1865
#865

Circuit Court of the U.S.
District of Mass.
in Equity.

Richardson & al
vs
Noyes & al

[65]

Exhibit B
W. E. Perkins
Examiner

THE U. S. PATENT OFFICE.



To all persons to whom these presents shall come, Greeting:

This is to certify That the annexed is a true copy from
the Records of this Office of the Letters Patent
granted, Henry M. Richardson, dated,
October, 7th 1873, N^o 123,421,
For
"Improvement in Childrens Carriages."

In testimony whereof, I,

Ellis Shear,

Acting Commissioner of Patents, have caused the seal of the
Patent Office to be hereunto affixed this 21st
day of July, in the year of our Lord one
thousand eight hundred and seventy-three and of the Independence
of the United States the ninety-eighth.

Ellis Shear

Acting Commissioner.

The United States of America



TO ALL TO WHOM THESE PRESENTS SHALL COME:

Whereas Henry W. Richardson, of Boston, Massachusetts:

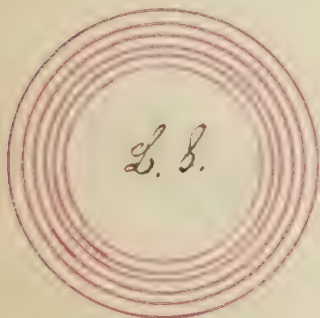
has presented to the Commissioner of Patents a petition praying for the grant of **LETTERS PATENT** for an alleged new and useful

Improvement in Children's Carriages

a description of which invention is contained in the Specification of which a copy is herewith annexed and made a part hereof, and has complied with the various requirements of Law in such cases made and provided; and

Whereas upon due examination made the said Claimant is adjudged to be justly entitled to a Patent under the Law;

Now therefore these **LETTERS PATENT** are to grant unto the said Henry W. Richardson, his heirs or assigns, for the term of *Seventeen* years from the *Seventh* day of *October* one thousand eight hundred and *Seventy three* the exclusive right to make use and vend the said invention throughout the United States and the Territories thereof.



In testimony whereof I have herewith set my hand and caused the seal of the Patent Office to be affixed at the City of Washington, this *Seventh* day of *October* in the year of our Lord one thousand eight hundred and *Seventy-three* and of the Independence of the United States of America the *Ninety-eighth*

Countersigned.

L. DeLano

W. D. Leggett,
Commissioner of Patents.

Secretary of the Interior





H. M. RICHARDSON.
Childrens' Carriages.

No. 143,421.

Patented Oct. 7, 1873.

Fig. 1.

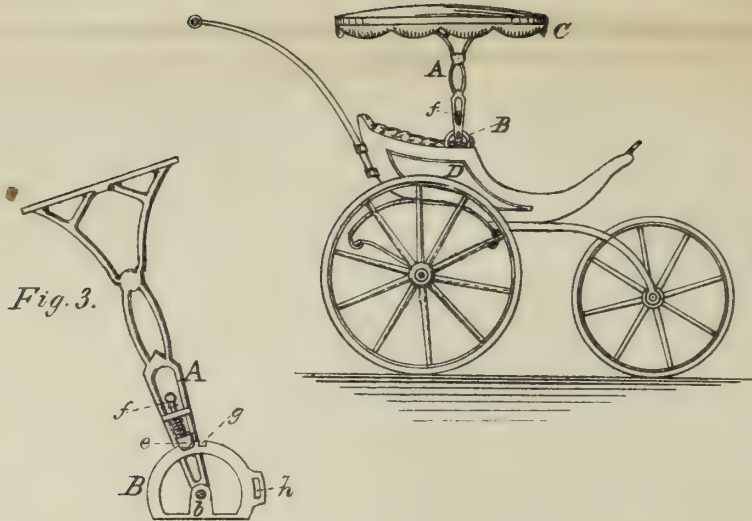
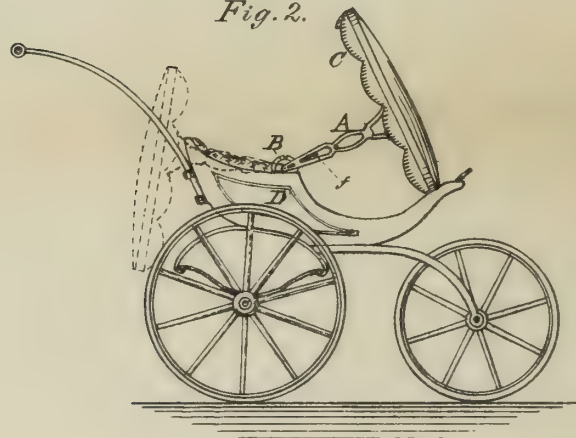


Fig. 2.



Witnesses:

Inventor:

Wm. S. L. Saunders.
Arthur C. Fraser.

Henry W. Richardson.
Per Burke & Fraser
Atty's

UNITED STATES PATENT OFFICE.

HENRY M. RICHARDSON, OF BOSTON, MASSACHUSETTS.

IMPROVEMENT IN CHILDREN'S CARRIAGES.

Specification forming part of Letters Patent No. **143,421**, dated October 7, 1873; application filed June 23, 1873.

To all whom it may concern:

Be it known that I, HENRY M. RICHARDSON, of Boston, in the county of Suffolk and State of Massachusetts, have invented certain new and useful Improvements in Children's Carriages, of which the following is a specification:

This invention relates to that class of carriages having a square or canopy top; and its object is to enable the child to be seen and taken from the carriage by the attendant without leaving the position she must occupy for propelling it by the handle at the back, and, also, to enable the child's face to be protected from the sun or wind when they are in the direction in which the carriage is pushed; and it consists in such an arrangement and construction that the top may be dropped in front of the seat as well as behind it, or fixed in an upright position over the carriage, or inclined at various angles; and, also, in the mechanism by which the same is accomplished, consisting of a pair of rigid arms secured rigidly to the carriage-top and jointed to recessed arcs attached to the body, the arms being provided with spring-bolts or their equivalent, which engage with the recesses on the said arcs to retain the top in the desired position.

Heretofore canopy tops of children's carriages have been made to drop back, like the ordinary top, and rest in a vertical or inclined position behind the seat, but have not, to my knowledge, been made to drop in front.

Figure 1 of the accompanying drawings is a side elevation of my improvement with the top shown in an upright position. Fig. 2 is a like view with the top shown dropped forward, its position when thrown back being represented by dotted lines. Fig. 3 is an enlarged view of one of the rigid arms by which the canopy is supported and one of the arcs upon which it is adjustable, both being shown detached.

At each side of the body D of the carriage, and at or near the front end of the seat, I attach one of the arcs B B. The arms A A are jointed at their lower extremities, at the center of the arcs, to the projection b, Fig. 3, and are secured rigidly to the top C at a slight

distance from the center, as shown in Figs. 1 and 2.

The arms A A may be made of any ornamental form, preferably of light open-work, as seen in Fig. 3, and of metal or other suitable material. They are jointed at one side of the arcs, as seen in Fig. 3, and their opposite sides are provided each with a lug, e, which embraces the arc and prevents any lateral motion of the arms, but leaves them free to traverse the arcs in either direction front or back, so that the top C may be lowered in front of the seat, as seen in Fig. 2, arranged in an upright position, as in Fig. 1, or thrown back between the handles, as shown by the dotted lines in Fig. 2, or placed in any intermediate position, as occasion may require.

The arms are each provided with a spring-bolt, f, Fig. 3, or other equivalent fastening, which engages with the recess g on the arcs when the canopy is placed in an upright position, as in Fig. 1, securing it until the bolts are withdrawn by the hand.

The arcs may be provided with a series of such recesses, so that the top may be retained at any desired angle. At one end of the arcs is a slot, h, Fig. 3, through which the guard-strap may be passed and secured.

The advantages attained by having the top so constructed as to be capable of being lowered in front of the seat, or inclined at various angles, as well as being placed upright or thrown back, are numerous and important.

By this means the child can be effectually protected from the rays of the sun in front, as well as from above and behind, and also from cold or strong winds, or from dust; and, moreover, the nurse or person driving the carriage from behind will be enabled to watch the child constantly, speak to it, and attend to many of its requirements, without leaving her position in the rear.

A top or canopy constructed in accordance with my improvements may also be applied to other than children's carriages, if found desirable.

I claim as my invention—

1. In a child's carriage, a rigid top or canopy, C, fixed upon the arms A, pivoted to the sides

of the body, so that said canopy may drop in front of the seat or behind it, or be held in an upright or intermediate position, substantially as and for the purposes set forth.

2. The combination of the arms A, having the spring-bolt *f*, and pivoted upon the arc-shaped irons B, with the top C, and applied to the body D, substantially as herein shown and described, for the purpose specified.

In witness whereof I have hereunto signed my name in the presence of two subscribing witnesses.

HENRY M. RICHARDSON.

Witnesses:

LORENZO H. RICHARDSON,
CHAS. M. HIGGINS.

Exhibit 13
W. Z. Perkins
Examiner

13

U. S. PATENT

OFFICE.



To all persons to whom these presents shall come, Greeting:

That is to certify That the annexed is a true copy from

the Records of this Office of the Letters Patent
granted to Lewis, O. Ogden, dated, January,
1854, No. 10,373

For "Impt. in Carriage Sps."

In testimony whereof, I,

Ellis Shear

Acting Commissioner of Patents, have caused the seal of the
Patent Office to be hereunto affixed this *Seventeenth*
day of *September*, in the year of our Lord one
thousand eight hundred and seventy-five, and of the Independence
of the United States the one hundredth.

Ellis Shear

Acting Commissioner.

THE UNITED STATES OF AMERICA.

To all to whom these Letters Patent shall come:

Whereas

John S. Ogden of Vermont Falls, N. H.

has alleged that *he has* invented a new and useful

improvement in raising and fastening carriage tops.

and having assigned his right title & interest in said improvement to Lewis C. Ogden of Vermont Falls, aforesaid.

which *he* states has not been known or used before *his* application;

has made oath that he is a citizen of the United States

that *he does* verily believe that *he is* the original and first inventor

or discoverer of the said *improvement*, and that the same has not, to

the best of *his* knowledge and belief, been previously known or used;

has paid into the TREASURY OF THE UNITED STATES the sum

of *thirty* dollars, and presented a petition to the COMMISSIONER OF PATENTS,

signifying a desire of obtaining an exclusive property in the said *improvement*

and praying that a patent may be granted for that purpose:

THESE ARE THEREFORE to grant, according to law, to the said

Lewis C. Ogden, his heirs, administrators,

or assigns, for the term of *fourteen* years from the *third*

day of *January* one thousand eight hundred and *fifty-four*

the full and exclusive right and liberty of making, constructing, using, and vending to others

to be used, the said *improvement*, a description whereof is given in the words

of the said *L. C. Ogden*

in the schedule hereunto annexed, and is made part of these presents.

IN TESTIMONY WHEREOF, I have caused these letters to be made Patent, and the seal of the PATENT OFFICE has been hereunto affixed.

GIVEN under my hand, at the CITY OF WASHINGTON,

this *third* day of *January*

in the year of our Lord one thousand eight

hundred and *fifty-four* and of the

Independence of the United States of America

the *seventy-eighth*

Robert McClelland

Secretary of the Interior.

Countersigned, and sealed with the
seal of the Patent Office.

C. Mendenhall

Commissioner of Patents.



The schedule referred to in these Letters Patent and making part of the same.

To all whom it may concern:

Be it known that I, Julia S. Ogden, of the Village of Glen Falls, in the County of Warren and State of New York, have invented a new and improved mode of lowering, raising and fastening carriage tops, and I do hereby declare, that the following is a full and exact description of the said invention, reference being had to the accompanying drawing and the letters of reference marked thereon.

Figure 1. is a perspective view of carriage top body

Figure 2. is longitudinal elevation of body

Figure 3. the shaft to which the bows of the top are attached.

Figure 4. the shaft to which the two eccentric circles, hooks and lever are attached.

The nature of my invention con-

2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
496
497
498
499
500
501
502
503
504
505
506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583
584
585
586
587
588
589
590
591
592
593
594
595
596
597
598
599
600
601
602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645
646
647
648
649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685
686
687
688
689
690
691
692
693
694
695
696
697
698
699
700
701
702
703
704
705
706
707
708
709
710
711
712
713
714
715
716
717
718
719
720
721
722
723
724
725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762
763
764
765
766
767
768
769
770
771
772
773
774
775
776
777
778
779
780
781
782
783
784
785
786
787
788
789
790
791
792
793
794
795
796
797
798
799
800
801
802
803
804
805
806
807
808
809
810
811
812
813
814
815
816
817
818
819
820
821
822
823
824
825
826
827
828
829
830
831
832
833
834
835
836
837
838
839
840
841
842
843
844
845
846
847
848
849
850
851
852
853
854
855
856
857
858
859
860
861
862
863
864
865
866
867
868
869
870
871
872
873
874
875
876
877
878
879
880
881
882
883
884
885
886
887
888
889
890
891
892
893
894
895
896
897
898
899
900
901
902
903
904
905
906
907
908
909
910
911
912
913
914
915
916
917
918
919
920
921
922
923
924
925
926
927
928
929
930
931
932
933
934
935
936
937
938
939
940
941
942
943
944
945
946
947
948
949
950
951
952
953
954
955
956
957
958
959
960
961
962
963
964
965
966
967
968
969
970
971
972
973
974
975
976
977
978
979
980
981
982
983
984
985
986
987
988
989
990
991
992
993
994
995
996
997
998
999
1000

sists in the application of two shafts placed below the seat one above the other, to raise and fall a carriage top with stationary bows and the application of a lever, two eccentric circles, and hooks and two bolts to fasten the top when raised up.

For enable others skilled in the art to make and use my invention, I proceed to describe its construction and operation. I construct my carriage top in any of the known forms, with stationary bows, that is without joints in the bows. I fasten the said top to the ends of shaft a, figure 1, firmly, on the outside of the body-shaft a, figure 1, plays up and down freely, in slots made in each side of the body or box, so that the said shaft raises when the top is let down or lowered, and falls to the bottom of the slots when the top is raised up. Below shaft a, figure 1, I place shaft c, figure 1. I attach to said shaft c, figure 1,

a lever e, figure 1 and an eccentric circle and hook, marked d, in figure 1, to each end of shaft c, in figure 1, so that by raising lever e, figure 1, the hooks pass over shaft a, figure 1, and hold it down to the bottom of the slots. I also fasten the bolts b, figure 1, upon the edge of the box, or seat, so that they enter the bows as in figure 1, to hold the top firmly when raised.

What I claim as my invention, and desire to secure by Letters Patent, is,

The application of the lever, the shafts, eccentric circles, hooks and the two bolts, to lower, raise and fasten carriage tops, with stationary bows, as herein before described.

Zina S. Ogden.

Witness
Joseph S. Perine }
Sam Stevens }

Z. S. Ogden.
Carriage Top.
N^o 10,373. Patented Jan. 3, 1854.

Fig. 1.

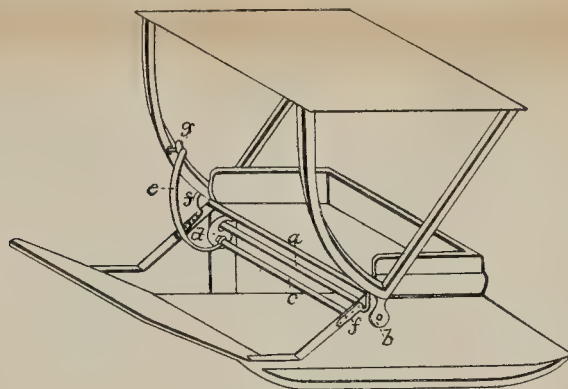


Fig. 2.

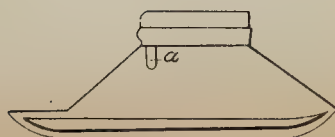
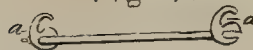
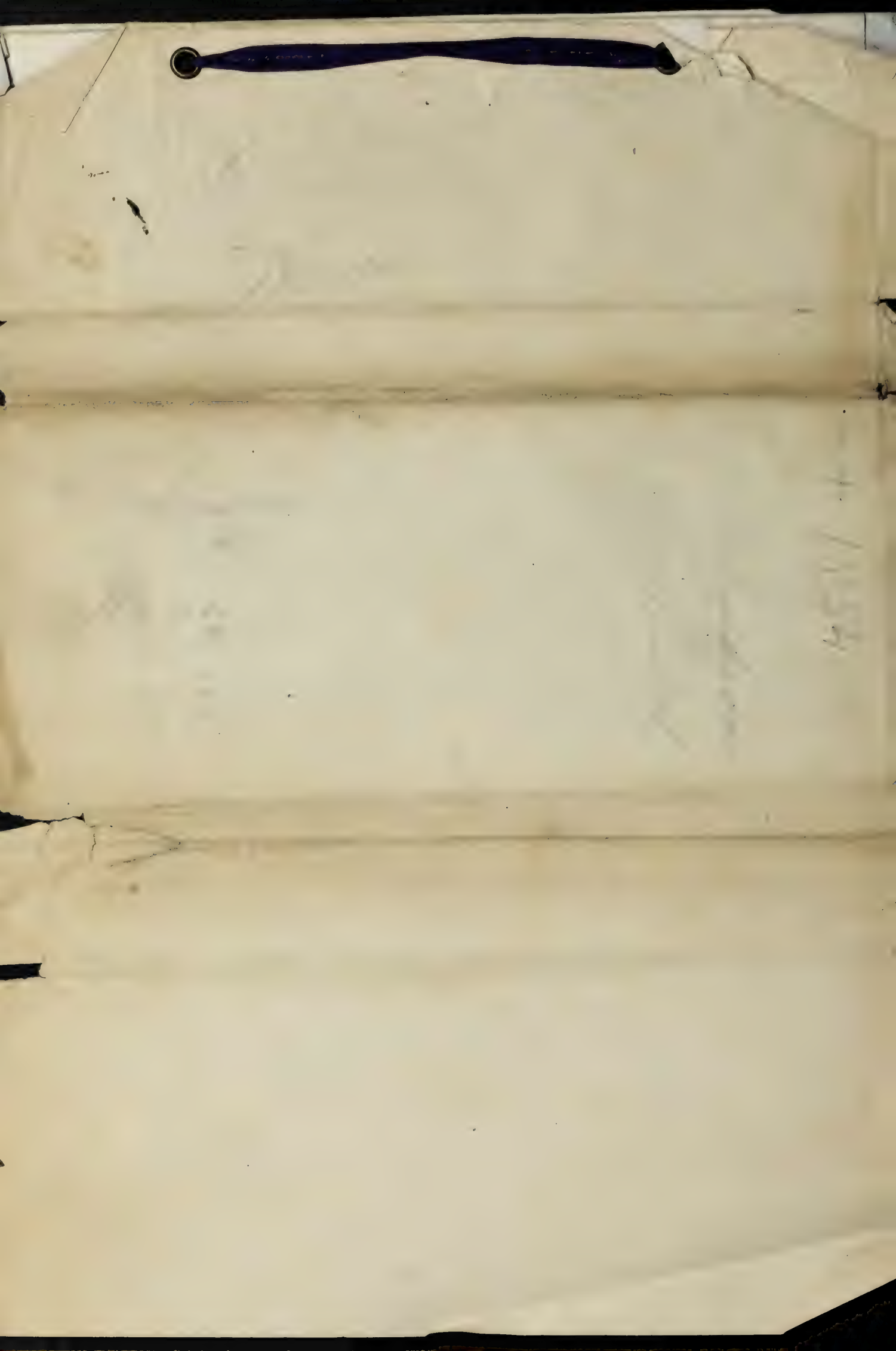


Fig. 3.



Fig. 4.





Circuit Court of the U.S. Richardson & Co. vs. Leitch & Co.
District of Mass. Mayer & Co. W. E. Perkins Examiner
In Equity. Vol. 111.

The United States of America



TO ALL TO WHOM THESE PRESENTS SHALL COME:

Whereas Richardson, M. & Co. and William Mayer, of New York, assignors to Richardson, M. & Co.

have presented to the Commissioner of Patents a petition praying for the grant of **LETTERS PATENT** for an alleged new and useful

Improvement in American Cattle
(The which Letters Patent were issued to them dated February 11, 1868, which letters having been surrendered, the same have been cancelled, and new letters ordered to issue to said assignors on an amended specification)

a description of which invention is contained in the Specification of which a copy is herewith annexed and made a part hereof, and has complied with the various requirements of Law in such cases made and provided, and

Whereas upon due examination made the said Claimants are adjudged to be justly entitled to a Patent under the Law;

Now therefore these **LETTERS PATENT** are to grant unto the said Richardson, M. & Co. their heirs or assigns, for the term of seventeen years from the thirteenth day of February one thousand eight hundred and sixty-eight the exclusive right to make, use and vend the said invention throughout the United States and the Territories thereof.

In testimony whereof I have hereunto set my hand and caused the seal of the Patent Office to be affixed at the City of Washington, this nineteenth day of January in the year of our Lord one thousand eight hundred and seventy-four and of the Independence of the United States of America the thirteenth month.

Countersigned:

James H. Smith
Commissioner of Patents.

W. E. Perkins
Secretary of the Interior.



J. BEIN & W. ULRICH.
Children's Carriages.

No. 6,199.

Reissued Dec. 29, 1874.

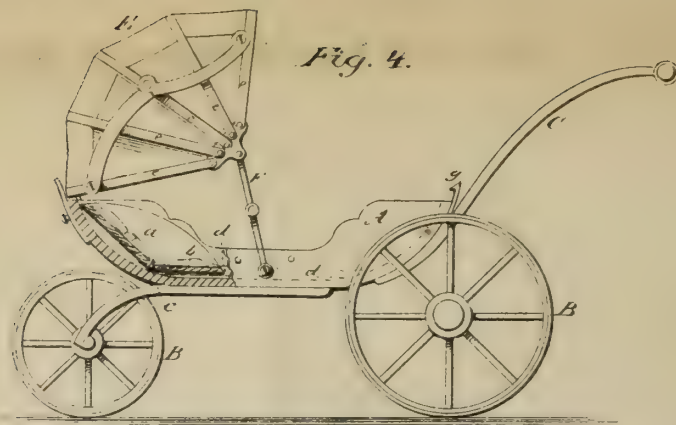
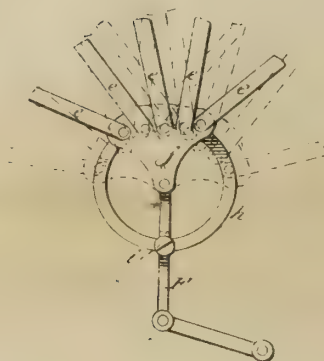


Fig. 5.



Fig. 6.



Witnesses:

W. H. Norris,
Jas. C. Wildman

Inventor:

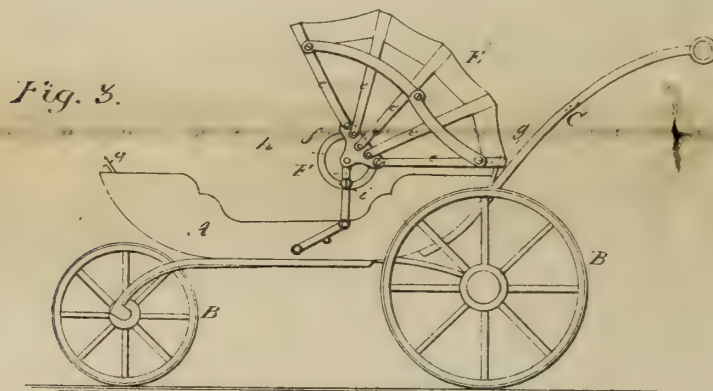
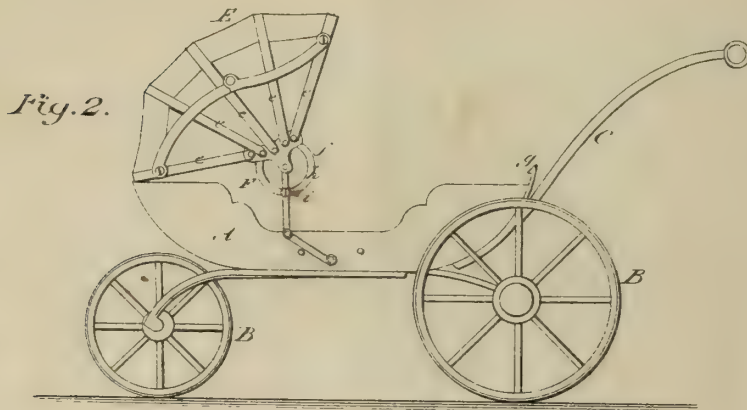
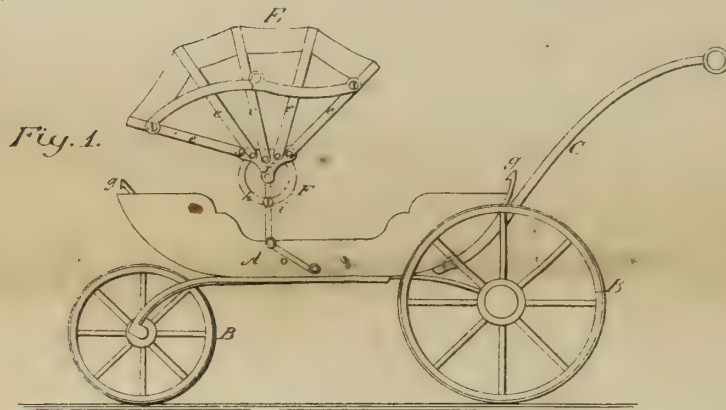
Julius Bein & William Ulrich
By James L. Norris,
Atty.



J. BEIN & W. ULRICH.
Children's Carriages.

No. 6,199.

Reissued Dec. 29, 1874.



Witnesses:

Ale Norris.

J. W. Howard

Inventor:

Inventor:
Julius Bein & William Ulrich.

By James L. Norris Atty.

UNITED STATES PATENT OFFICE.

JULIUS BEIN AND WILLIAM ULRICH, OF NEWARK, NEW JERSEY, ASSIGNORS
TO RICHARDSON, McKEE & CO.

IMPROVEMENT IN CHILDREN'S CARRIAGES.

Specification forming part of Letters Patent No. 74,284, dated February 11, 1868; reissue No. 6,199, dated
December 29, 1874; application filed Decel. 19, 1874.

To all whom it may concern:

Be it known that we, JULIUS BEIN and WILLIAM ULRICH, both of Newark, in the county of Essex and State of New Jersey, have invented certain new and useful Improvements in Children's Carriages; and we do hereby declare that the following is a full, clear, and exact description thereof, that will enable others skilled in the art to which it appertains to make and use the same, reference being had to the accompanying drawings, and to the letters of reference marked thereon, which form a part of this specification.

Our invention relates to certain improvements in children's carriages, its object being to provide a carriage in which the top and seat can be reversed, in order that the occupant may face the direction in which the carriage is moving and be protected from the rays of the sun or from wind, whether the carriage be pushed or drawn; and it consists, first, in a top or canopy fixed upon standards pivoted to the sides of the carriage, so that such top or canopy can be dropped behind the seat, or adjusted to an upright or any intermediate position over the seat, substantially as hereinafter set forth; second, in a top or canopy supported upon standards composed of two sections or parts, in order that the top may be dropped behind the seat, or adjusted and held in any intermediate or upright position, substantially as hereinafter specified; third, in a standard for supporting a carriage-top, composed of two parts suitably united, and provided with a device for locking said parts in any desired position, so that the carriage-top may be adjusted in any desired position or angle with respect to the seat, or dropped behind the same, or be held in an upright position, substantially as hereinafter described. fourth, in the locking device, consisting of an arc or circle attached to one of the parts of the standard, and a locking mechanism attached to the other, by which the top may be adjusted to any desired position over the seat, substantially as hereinafter set forth and described; fifth, in a carriage-body constructed alike, or nearly alike, at the front and rear, and provided with a reversible seat that can be so adjusted that the occupant may face the direction in which the

carriage is moving, whether it be pushed or drawn, substantially as hereinafter set forth.

In the drawings, Figure 1 represents a side elevation, partly in section, of our improved carriage, with the top in an upright position over the seat. Fig. 2 is a similar view of the same with the top down. Fig. 3 is a similar view with the top reversed. Fig. 4 is a similar view, showing the reversible seat; and Figs. 5 and 6 are detached views of the locking device.

A represents the body of the carriage, of suitable material and size, and of any convenient design, the front and rear, however, being made as nearly alike as possible. It is supported upon three or more wheels, B B, and is provided with a tongue or bar, C, for drawing or pushing it. E is the carriage-top, which may consist of a canopy in one piece, or the ordinary folding canopy in common use. In the present instance the ordinary folding top is shown, in which the bows *ee* are pivoted to the plates *ff*, which, instead of being firmly secured to the carriage-body, are fastened or jointed to the part *F*, pivoted to the side boards of the body. The top can thus be swung to either side of the carriage-body, as indicated in the drawings, and can be fastened by spring catches *g*, as shown. In order to fasten the top in any desired position, an arc or circle, *h*, passing through a slot in the bar *F*, is attached to the plates *f*, forming a part of the standards which support the cover. A binding-screw, *i*, passes through the bar *F*, by means of which the top may be clamped and secured in any desired position. The seat consists of two L-shaped boards, *ab*, cushioned or upholstered as desired. From each end of the seat, at the junction of the two boards, projects a pin, *c*, which fits into a groove, *d*, in the adjoining side board. The seat can be moved in these grooves to either end of the carriage-body, and can be turned on the pin, so that it can be adjusted in either end of the body, as will be readily understood.

It will be seen that by the present construction the carriage-top can be shifted to any desired position with respect to the seat, either back of the same, directly in front of it, or to any intermediate position, where it can be ad-

16
justed and held by means of the arc or circle and clamping-screw, thus protecting the occupant from the injurious or annoying effects of the sun, wind, or rain. The seat, being reversible, may be arranged at will so that the occupant may always face the direction in which the carriage is moving, whether it is drawn or pushed; and as the cover or canopy is capable of being shifted to either the front or back of the carriage, it may be dropped behind the seat in whatever position it may be placed, or adjusted to any position that may be necessary to protect the occupant.

What we claim is—

1. A top or canopy for children's carriages, fixed upon standards connected with the sides of the carriage-body, combined so that such top or canopy can be dropped behind the seat, or adjusted to an upright or any intermediate position over the seat, substantially as and for the purpose described.

2. A top or canopy for children's carriages, supported upon standards composed of two sections or parts, connected and combined with the body so that the top may be dropped behind the seat, in front of the seat, or adjusted and held in any intermediate position, substantially as and for the purpose described.

3. A standard for supporting a carriage-top, composed of two sections or parts suit-

ably united, and provided with a device for locking said parts in the desired position, combined so that the carriage-top may be adjusted with respect to the seat, or dropped in front or behind the same, substantially as and for the purpose described.

4. In combination with the standards for supporting a carriage-top capable of being dropped behind the seat, a locking mechanism for adjusting said standards in the desired position for holding the top upright over the seat, substantially as described.

5. The combination, with a carriage-body, of a reversible seat placed therein so that the seat can be made to face toward the front or rear of the carriage, substantially as described.

6. The combination, with a carriage-body, of a reversible seat placed therein so that, when reversed, its back can be made the seat, or the seat be made the back, substantially as described.

In testimony that we claim the foregoing we have hereunto set our hands this 17th day of November, 1874.

JULIUS BEIN.
WILLIAM ULRICH.

Witnesses:

DANIEL LAUCK,
GEORGE MCKEE.

Exhibit C
H. S. Perkins
Examiner

(Return)

161

N. S. Circuit Court } In Equity
District of Mass
Richardson et al

[65]

THE U. S. PATENT OFFICE.



W. E. Perkins
Special Examiner

To all persons to whom these presents shall come, Greeting:

This is to certify That the annexed is a true copy from
the Records of this Office of the Letters Patent
granted to Peck, and, Fyle, Dated,
December 21st 1869. No 98,141
For "Improvement in Folding Chair."

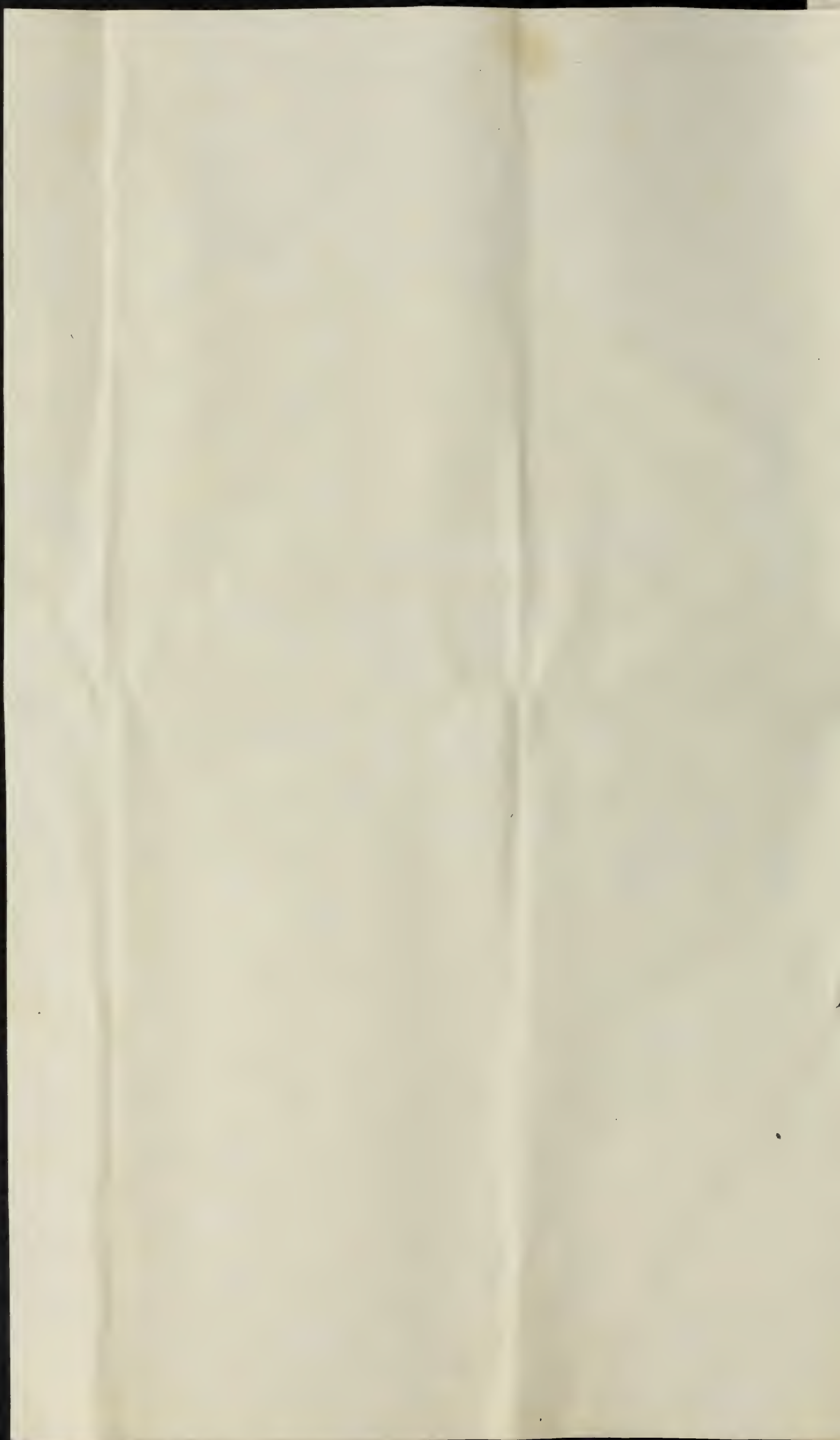
In testimony whereof, I,

Ellis Spear

Acting Commissioner of Patents, have caused the seal of the
Patent Office to be hereunto affixed this Seventh
day of October, in the year of our Lord one
thousand eight hundred and seventy-five, and of the Independence
of the United States the one hundredth.

Ellis Spear

Acting Commissioner.



No. 298141

The United States of America



TO ALL TO WHOM THESE LETTERS PATENT SHALL COME:

Whereas *Surrourghs Beach, of Meriden, Connecticut*

has alleged that *he has* invented a new and useful *Improved Holding-Chair*

(*He having assigned his right, title and interest in said Invention to himself and Edwin S. Pyle of Bridgeport, Connecticut.*)

and has made oath that he is a Citizen of the United States

that he verily believes *he is* the original and first inventor or discoverer of the said *Invention* and that the same hath not to his knowledge and belief been previously known or used.

He has paid into the Treasury of the United States the sum of *Thirty-five* dollars, and presented a petition to the COMMISSIONER OF PATENTS praying that a patent may be issued therefor.

There are therefore to grant to the said *Beach and Pyle, their* executors, administrators, or assigns, for the term of *seventeen* years from the *Twenty-first* day of *December*, one thousand eight hundred and *Sixty-nine*, the full and exclusive right and liberty of making, using and vending to others to be used, the said *Invention*, a description whereof is given in the annexed schedule, and made a part of these presents.

In Testimony whereof, I have caused these Letters to be made Patent and the Seal of the PATENT OFFICE to be hereunto affixed.

GIVEN under my hand at the City of Washington this *Twenty-first* day of *December*, in the year of our Lord one thousand eight hundred and *Sixty-nine*, and of the Independence of the United States of America the *Ninety-fourth*.

W. P. Clegg, Acting
Samuel S. Fisher

Secretary of the Interior,
Commissioner of Patents.

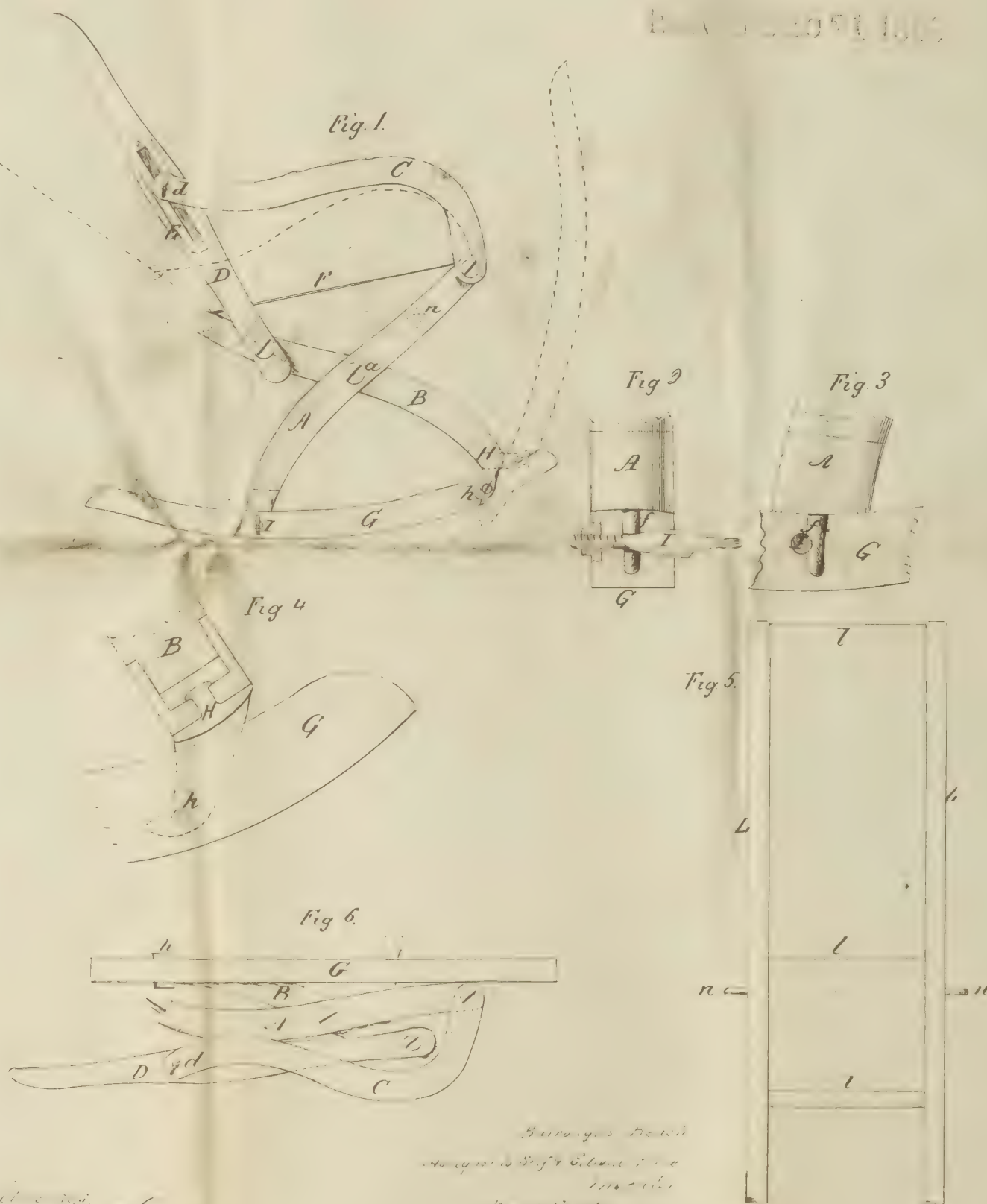
Countersigned and Sealed with the
Seal of the Patent Office.

JOHN E. EARLE,
Solicitor of
AMERICAN AND FOREIGN
PATENTS,
85 Chapel St., New Haven, Ct.

Burroughs Beach
- Assignor to
Self & Edwin Pyle
Inventors
Folding Chair

98141

Patented July 20, 1891



Burroughs Beach
Assignor to Self & Edwin Pyle
Inventors
By Attorneys

Witness
J. W. Shumway
By *Earle*

John E. Earle

United States Patent Office.

BURROUGHS BEACH, OF MERIDEN, ASSIGNOR TO HIMSELF AND EDWIN I. PYLE, OF BRIDGEPORT, CONNECTICUT.

Letters Patent No. 98,141, dated December 21, 1869.

IMPROVED FOLDING CHAIR.

The Schedule referred to in these Letters Patent and making part of the same.

To all whom it may concern:

Be it known that I, BURROUGHS BEACH, of Meriden, in the county of New Haven, and State of Connecticut, have invented a new Improvement in Folding Chair; and I do hereby declare the following, when taken in connection with the accompanying drawings, and the letters of reference marked thereon, to be a full, clear, and exact description of the same, and which said drawings constitute part of this specification, and represent, in—

Figure 1, a side view;

Figures 2 and 3, detached views, to illustrate the manner of securing the rocker;

Figure 4, a sectional view, to illustrate the manner of swivelling the rocker;

Figure 5, the limb-supporter; and in

Figure 6, a side view of the chair, as folded.

This invention relates to an improvement in that class of chairs which is constructed so as to be folded into small compass, the object being to provide such chairs with rockers, and also with a support for the limbs of the person sitting in the chair; and

The invention consists in combining, with the cross-legs of a folding chair, rockers, swivelled to one of the legs, and locked to the other, so that by means of the said lock, the rockers may be detached and turned into position to fold; also, in combination with the same, a detachable platform, for the support of the limbs.

A is the rear leg, and B, the forward leg, crossing each other, and pivoted at *a*, so that the upper end of the said legs makes, inversely, the support for the chair-seat.

To the upper end of the leg A, the arm C is pivoted; and near the upper end of the leg B, the back D is pivoted; and the arm is adjustably attached to the back by a set-screw, *d*, working in a T-shaped slot, E, so that the back may be adjusted to different inclinations, as denoted by the broken lines.

F is the seat, attached to a rundle extending between the upper ends of the front and rear legs, and is made of flexible material.

Thus far my invention is similar to folding chairs in common use.

G, the rocker, is permanently attached to the leg B by a swivel, H, the rocker being pivoted, at *h*, in the ears of the swivel, so as to give to the rocker a universal movement.

The rocker G is secured to the other leg, A, by a pin, *f*, (see figs. 2 and 3,) extending down into the rocker, and a conical key, I, passing into a notch in the pin *f*.

The smaller portion of the key I, when drawn out, is of such diameter as to allow the pin to pass it; but when the pin is set into the rocker, and the key drawn into the notch, then the rocker and leg are firmly secured together.

To fold the chair, withdraw the key I, to free the rocker from the leg A; then turn the rocker to the position denoted in broken lines, fig. 1, and the chair is folded in the usual manner, the rocker lying flat upon the top, as denoted in fig. 6.

L L, fig. 5, are two bars, secured together by rundles I, with a flexible or other covering extending from the first rundle to the second. The said bars are of sufficient length to pass under the rear upper rundle of the chair, as denoted in broken lines, fig. 1, and provided with lugs or hooks *n*, to attach to a rest on the forward legs, to retain it in position, as denoted in broken lines, fig. 1. Thus, when the chair is set up, the back inclined, and the rest placed in the chair, a rocking-couch is produced. When not required for use, the bars L may be removed from the chair.

I claim, as my invention—

1. In combination with a folding chair, substantially as described, the rocker G, pivoted and swivelled to the leg B, in the manner herein set forth.

2. In combination with the above, the conical key I and pin *f*, to secure the rocker, as set forth.

3. In combination with a folding chair, substantially such as described, the detachable rest, formed by the bars L L, in the manner described.

BURROUGHS BEACH.

Witnesses:

J. H. SHUMWAY,
A. J. TIBBITS.

Boston, June 21/77

Rec'd of Clerk Lib. Co.
Ex Lib., original issue #6121 to
J. M. Richardson, Richardson &
at N. Noyes

George M. Keen & Son
of Richardson & M. Keen

Richardson
Wagon

Receipt

Circuit Court of the United States
District of Massachusetts -

In Equity.

Oct. 5. 1846.

Loring H. Richardson et al

v.
Baxter B. Noyes et al -

"

Final Decree

January 5, 1847, Pursuant to ~~said~~ ^{of parties} agreement,
It is ordered adjudged and decreed by
the Court, that the said reference of the
~~of the~~ cause to a master be waived, and
that the said complainants recover of the
said defendants, the sum of twelve hundred
dollars named in said agreement, as and
for the damages sustained by them by
reason of said infringement and their
costs of suit taxed at six hundred
forty three dollars and ninety five cents
By the Court:

Alfred H. Troubridge
Deputy Clerk

Richardson

4

Noyes

Final Decree

—

Circuit Court of the United States.

District of Mass., *May* Term, 1876

IN EQUITY.

Lorenzo H. Richardson et al Complainants
Baxter B. Noyes et al Defendants

DECREE

For Perpetual Injunction, and for Reference to a Master.

This cause came on to be heard at this *present* Term,
upon the pleadings and proofs, and was
argued by Counsel for the respective parties;

and now upon consideration
thereof, to wit: *Sept. 1, 1876* It is ORDERED, ADJUDGED AND DECREED, as follows,
viz.: that the ^{two} Letters Patent referred to in the complainant's bill, being ^{issued} Letters Patent of the
United States, granted unto *the complainants assignees of Bein & Ulrich for a new*
and useful improvement in children's carriages *dated Dec 29, 1874, numbered 6199,*
and Richard Letter Patent granted to Henry M. Richardson for improvement in children's carriages,
dated *November 3rd 1874, numbered 6121* are a good and valid patents, and that the
said *Bein & Ulrich* and said *Richardson*, *respectively*, were the original and first
inventors of the improvement described and claimed therein; and that the said defendants have
infringed the said patents and upon the exclusive rights of the complainants under the same.

And it is further ORDERED, ADJUDGED AND DECREED, that the complainants recover of
the defendants the profits which *they* have received or made, or which have accrued to *them*
from said infringement by the manufacture, use or sale of the improvements described, and
secured by said Letters Patent at any and all times since the *twelfth day of*
November A.D. 1874

and also the damages which the complainants have sustained thereby.

And it is further ORDERED, ADJUDGED AND DECREED, that it be referred to

John G. Stetson Esquire a master of this Court,
to take and report to the Court an account of the profits which the said defendants have received,
or which have arisen or accrued to *them* from the manufacture, use or sale of said improvement,
or from said infringement, and to ascertain and report the damages which the complainants have
sustained thereby since the *twelfth* day of *November* A. D. 18 *74*

And it is further ORDERED, ADJUDGED AND DECREED, that a perpetual injunction be issued
against the defendants according to the prayer of the bill.

And it is further ORDERED, ADJUDGED AND DECREED, that the complainants recover of
the defendants *their* costs of suit.

By the Court,

John G. Stetson Clerk.

A true copy,

Attest:

Clerk.

*I have seen this decree read to and
signed by the Court*

for Coffin

Ms 433

Lorena St. Richardson

v.

March 13, 1876

Dear

Sept 1, 1876

Answer.
Circuit Court of the United States.
District of Massachusetts.
In Equity

Lorenzo H. Richardson and
George M. Kee
vs.

Baxter B. Noyes and
Oscar G. Stratton.

To the Judges of the Circuit Court of the United States for the District of Massachusetts.
The answer of Baxter B. Noyes and Oscar G. Stratton to the Bill of Complaint of Lorenzo H. Richardson and George M. Kee.

The said defendants reserving to themselves all right of exception as to all matters contained in said bill, for answer thereto or to so much thereof as they are advised to be material to be answered unto, say—

They admit that on the 11th. day of February 1868, letters patent of the United States were granted to Julius Bein and William Ulrich as alleged in the bill; but they deny that the improvement therein claimed was original with the said Julius Bein and William Ulrich or either of them, and they deny that the said letters patent were either in whole or in

C. Don

Q

7 any part or degree valid, and say that the same were in every respect in part and in whole invalid and void.

They admit the assignment of said letters patent as alleged in the bill.

They admit the reissue of said letters patent in conformity with the statutes of the United States as alleged in the bill, but they deny that the improvement claimed in said reissue letters patent was original with the said Julius Bein and William Ulrich, or either of them, and they deny that said reissue letters patent were either in whole or in any part or degree valid, and say that the same were in every respect, in part and in whole, invalid and void.

They deny that previously to said reissue, either the complainants or any other person or persons have ever asserted and maintained any exclusive rights under said letters patent.

They admit that on the 7th. day of October 1873. letters patent of the United States were granted to Henry M. Richardson named in the bill, all as alleged in the bill; but they deny that the improvement therein claimed was original with the said Henry M. Richardson, and deny that the said letters patent were either in whole or in any part or degree valid, and say that the same were in every respect, in part and in whole

invalid and void.

11 They admit the reissue of said letters to said Henry M. Richardson in conformity with the statutes of the United States, as alleged in the bill, but they deny that the improvement claimed in said reissue letters patent was original with said Henry M. Richardson, and they deny that said reissue letters patent were either in whole or in any part or degree valid, and say that the same were in every respect, in part and in whole invalid and void.

They deny that previously to said reissue to said Henry M. Richardson, either he or any other person or persons had ever asserted and maintained any exclusive rights under said letters patent.

They deny the assignment by said Henry M. Richardson to the complainants of said reissue letters patent as alleged in the bill.

These respondents further answering say that the original letters Patent named in the bill as issued to Bein and Ulrich of date February 11. 1868. and numbered 74.284. were not inoperative or invalid by reason of defective or insufficient description or specification, but that they are fully valid and operative to secure to the said Bein and Ulrich the exclusive right to make, use and vend to others to be used, any and all inventions described in said original letters

9 Patent which the said Bein & Ulrich had made at the time they applied for said original letters Patent: and they allege that the said letters patent were not surrendered to correct any mistake therein, or insufficiency thereof, but to claim other and different inventions: and they deny that the reissued letters patent of date December 29, 1874, numbered 6,199, are for the same invention as the original letters patent of date February 11, 1868, numbered 74,254 and allege that they are for inventions substantially and materially different. They further answering say, that the original letters Patent named in the bill as issued to Henry M. Richardson of date October 7, 1873, and numbered 143,421 were not inoperative or invalid by reason of defective or insufficient description or specification, but, ^{say} that they were fully valid and operative to secure to the said Henry M. Richardson the exclusive right to make, use, and vend to others to be used, any and all inventions described in said original letters patent, which the said Henry M. Richardson had made at the time he applied for said original letters patent: and they allege that the said letters patent were not surrendered to correct any mistake therein, or insufficiency thereof, but to claim other and different inventions: and they deny that the

reissued letters patent of date November 3, 1874, numbered 6,121, are for the same invention as the original letters patent of date October 7, 1873, numbered 143,421, and allege that they are for inventions substantially and materially different. They deny that they have ever at any time violated or infringed upon either of the original letters patent named in the bill, and deny that they have ever at any time violated or infringed upon either of the reissue letters patent named in the bill, and especially deny that they have since the 3rd day of November 1874, made, constructed, used, or sold to others to be used, standards for supporting carriage tops constructed according to the inventions patented by the reissue letters patent named in the bill, or either of said reissue letters patent: and deny that they have in actual concert with Henry S. Kimball named in the bill, and others, or in concert with any other person whatsoever, made such standards and sold them to said Kimball and others, to be by them combined with children's carriages: and deny that said Kimball and others in actual concert with these defendants have so combined said standards with, and have sold, children's carriages, constructed according to the invention patented by the letters Patent named in the bill or either of said letters patent, in violation of any rights or privileges of the complainants named in the bill.

These defendants further answering upon information and belief say that the invention, improvement, or thing patented by each and the several original and reissue letters patent named in the bill was in public and common use in this country before

the alleged invention thereof by the said Bein and Ulrich, and before the alleged invention thereof by said Henry M. Richardson, and was in particular so known and used by F. W. and F. H. Whitney of Westminster in the State of Massachusetts.

And they say that the invention, improvement, or thing patented by each and the several original and reissue letters patent named in the bill, or a substantial and material part thereof alleged to be new, was, before the alleged invention thereof by the said Bein & Ulrich, and before the alleged invention thereof by the said Henry M. Richardson, fully described in the following letters patent of the United States, viz:— Letters Patent granted to Nelson S. Burr, dated the 18th day of August 1868, and numbered 81,135.

Letters Patent granted to Hall & Patten, dated the 22nd day of November 1859, and numbered 26,183.

Letters Patent granted to S. Cogswell, dated the 24th day of February 1863, and numbered 37,734.

Letters Patent granted to T. S. Ogden, dated January 3rd. 1854. and numbered 10,372.

Letters Patent granted to J. M. Freeman,

dated February 14, 1860, and numbered 27,121.

Letters Patent granted to P. Boyden, dated March 29, 1859, and numbered 23,347.

Letters Patent granted to C. H. Gano, dated June 18, 1861, and numbered 32,558, and Letters Patent granted to Fogelson & Anderson, dated April 17, 1855, and numbered 12,751.

These respondents further answering say, that they are engaged in manufacturing standards for supporting carriage tops at Greenfield in the State of Massachusetts, and at no other place; that they have manufactured, and still manufacture such standards, under the protection of Letters Patent of the United States granted to C. H. Amidon of date March 23, 1875, and numbered 161,086 and letters patent of the United States granted to these respondents of date April 13, 1875, and numbered 161,987, and these respondents have always believed and still believe, that they have a full and perfect right to manufacture and sell such standards under said patents.

All which matters and things these defendants are ready to aver, maintain, and prove, as this Honorable Court shall direct, and they pray that they may be hence dismissed with reasonable costs and charges in this behalf most wrongfully sustained.

Barth B. Hayes Oscar S. Stratton

Horatio G. Parker
of counsel -

B

Commonwealth of Massachusetts.
Franklin S.S. Personally appeared B. B. Noyes
& W. G. Stratton, to me well known, and known
to me to be partners under the name of B. B.
Noyes & Co. and made solemn oath, that they
have read the foregoing answer and under-
stand the contents thereof, and that the same
are true, except as those matters therein stated
upon information and belief, and as to those
matters they believe them to be true, this

Sixth day of July 1875.

Before me.

Francis M. Thompson
Notary Public.



551- Equity.
Richardson vs.
B. B. Hayes & al.

Defendants Answer.

July 1875

This answer may be
filed as of the date
thereof.

Shadrach J. De Haven

Attorney for Plaintiff

Wm. H. Parker
for Defendant



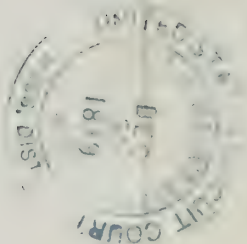
Boston Sept 23 1879

Received of B. B. Hayes & Co.
\$143⁹⁵/₁₀₀ in full discharge of
debt and redemption in case
of Richardson, M^r. Bee & Co. vs
B. B. Hayes & Co. for instrument
of Letters Patent in Circuit Court
of United States for District of
Massachusetts, and the Clerk
shall enter this discharge
in said case upon the docket
of said Court.

Richardson M. K. Lee

Richardson McKee
No 28-79

Receipt
Acknowledgment
of Satisfaction and
Discharge



Receipt of
Richardson McKee

551 E
Richardson
Mckee

Lorenzo H. Richardson et al } U. S. Circuit Court
vs. } District of Mass.
Baxter T. Hayes et al } In Equity

It is hereby agreed that William E. Perkins
of Boston Mass. Notary Public, may be
appointed special examiner to take evidence
in the above entitled cause under the Sixty Seventh
rule in equity as amended.

Thomas L. Severmore

Solicitor for plaintiffs.

Horatio G. Parker

Solicitor for defendants -

~~Solicitor for defendants~~

Upon the foregoing agreement William E.
Perkins aforesaid is hereby appointed special
examiner to take evidence in the above
entitled cause under the Sixty Seventh Rule
in Equity as amended

2

537
Richardson & Co

Proprs of al

Wm H. P. Lee
Superintendent



Handson

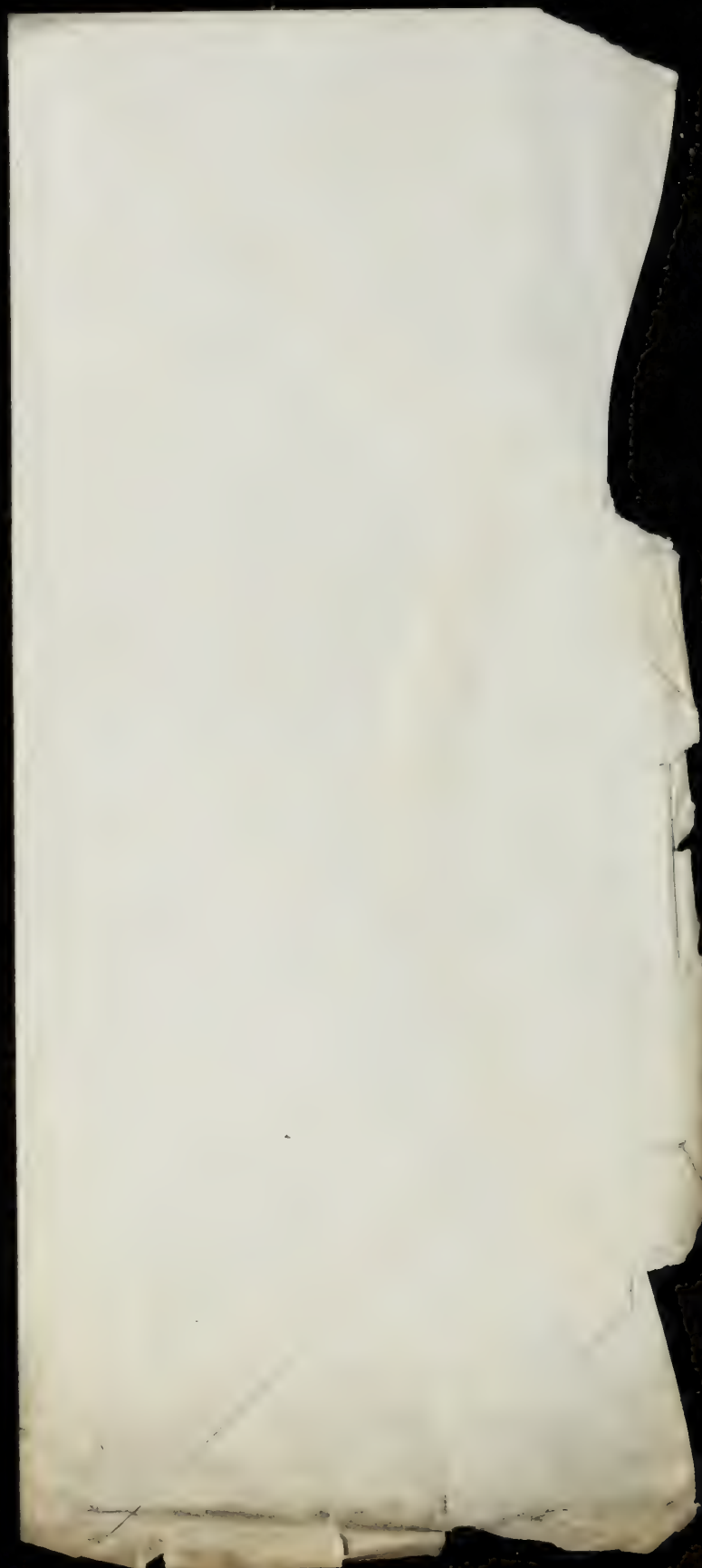
Woyco-

from W.E. Perkins

557/3

John G. Sisson Esq

Clark & Stinson's Court



Circuit Court of the United States.
District of Massachusetts.

Lorenzo D. Richardson vs

vs

In Equity

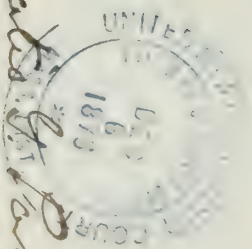
Baxter B. Hayes vs -

The defendants in the above ^{cause} ~~action~~ represent that they have settled in full the plaintiffs claim against them, and yet they have received notice from the master therein appointed to appear before him for the purpose of an account; they therefore move this Honorable Court, that the ~~defender~~ plaintiffs be ordered to take no further proceedings in the case as against these defendants -

by Horatio G. Parker
their counsel -

20. *Richardsoni*
 13. 13. *Hyphomys*

Medicine that helps. be
ordered not to pro-
ceed -



for Sept -

14
CIRCUIT COURT OF THE UNITED STATES,

In and for the District of Massachusetts

IN EQUITY.

Lorenzo H. Richardson et al.

Baxter P. Noyes et al.

Replication
July 16, 1882

The REPLICATION of

Lorenzo H. Richardson and
George McKee

Complainants to the answer of

Baxter P. Noyes and Oscar G. Stratton Defendants.

This Repliant^s saving and reserving to ~~themselves~~^{themselves} all and all manner of advantage of exception to the manifold insufficiencies of the said answer, for replication thereunto, saith: that ~~they~~^{he} will aver and prove ^{that} ~~his~~^{the} said bill to be true, certain and sufficient in the law to be answered unto; and that the said answer of the said defendant^s is uncertain, untrue, and insufficient to be replied unto by ~~the~~^{these} repliant^s; without this that any other matter or thing whatsoever in the said answer contained, material or effectual in the law to be replied unto, confessed and avoided, traversed or denied, is true; all which matters and things ~~the~~^{are} repliant^s ^{are} and will be ready to aver and prove as this honorable Court shall direct; and humbly pray^s as in and by his said bill ~~he~~^{he} ~~has~~^{has} already prayed.

By

Thomas C. Livermore

Solicitor.

No. Sess. 18 .

Circuit Court of the United States,

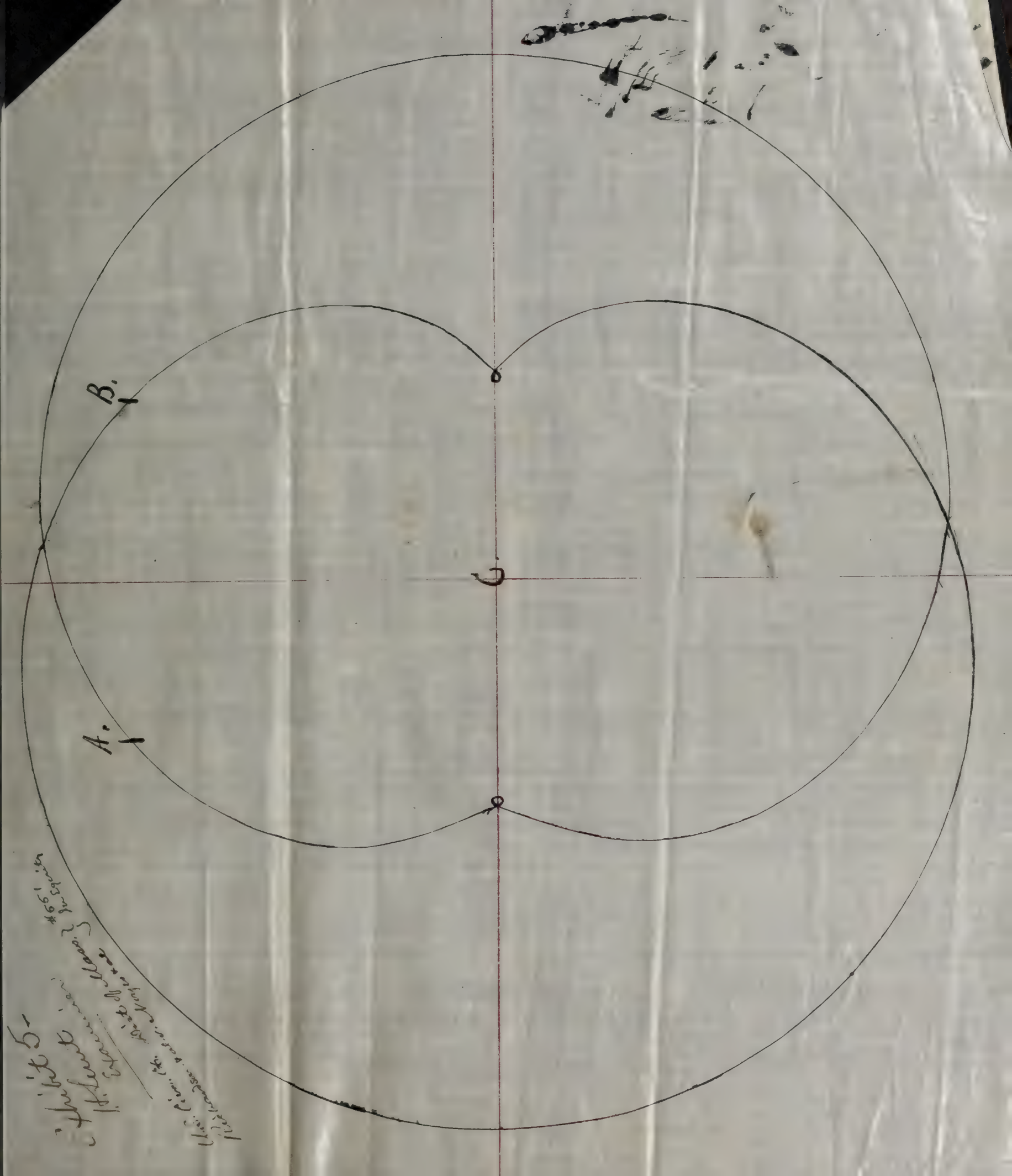
DISTRICT OF

Worcester
vs. W. Wickenden et al

vs.

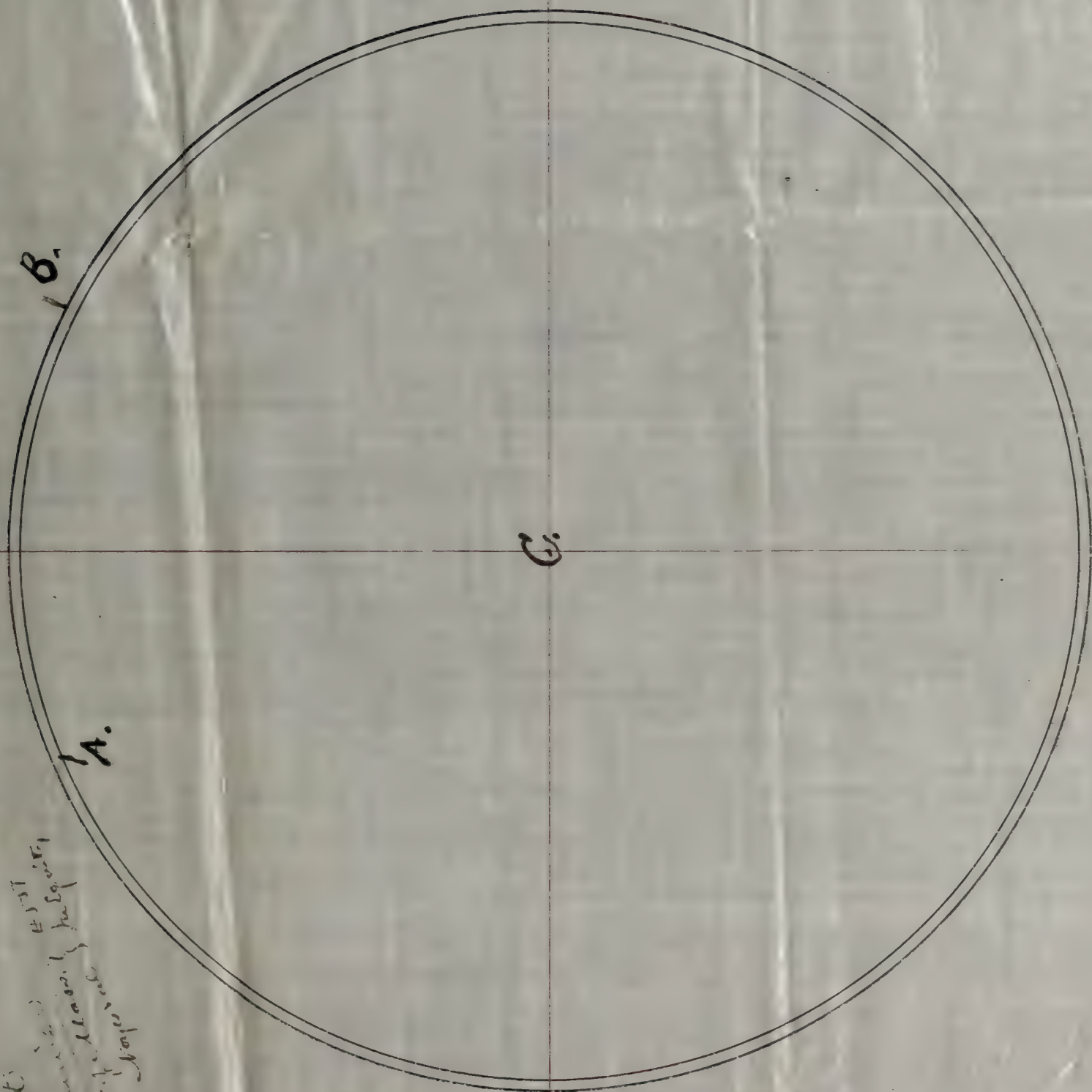
J. D. Waver et al
REPLICATION.





5-
 10-
 15-
 20-
 25-
 30-
 35-
 40-
 45-
 50-
 55-
 60-
 65-
 70-
 75-
 80-
 85-
 90-
 95-
 100-
 105-
 110-
 115-
 120-
 125-
 130-
 135-
 140-
 145-
 150-
 155-
 160-
 165-
 170-
 175-
 180-
 185-
 190-
 195-
 200-
 205-
 210-
 215-
 220-
 225-
 230-
 235-
 240-
 245-
 250-
 255-
 260-
 265-
 270-
 275-
 280-
 285-
 290-
 295-
 300-
 305-
 310-
 315-
 320-
 325-
 330-
 335-
 340-
 345-
 350-
 355-
 360-
 365-
 370-
 375-
 380-
 385-
 390-
 395-
 400-
 405-
 410-
 415-
 420-
 425-
 430-
 435-
 440-
 445-
 450-
 455-
 460-
 465-
 470-
 475-
 480-
 485-
 490-
 495-
 500-
 505-
 510-
 515-
 520-
 525-
 530-
 535-
 540-
 545-
 550-
 555-
 560-
 565-
 570-
 575-
 580-
 585-
 590-
 595-
 600-
 605-
 610-
 615-
 620-
 625-
 630-
 635-
 640-
 645-
 650-
 655-
 660-
 665-
 670-
 675-
 680-
 685-
 690-
 695-
 700-
 705-
 710-
 715-
 720-
 725-
 730-
 735-
 740-
 745-
 750-
 755-
 760-
 765-
 770-
 775-
 780-
 785-
 790-
 795-
 800-
 805-
 810-
 815-
 820-
 825-
 830-
 835-
 840-
 845-
 850-
 855-
 860-
 865-
 870-
 875-
 880-
 885-
 890-
 895-
 900-
 905-
 910-
 915-
 920-
 925-
 930-
 935-
 940-
 945-
 950-
 955-
 960-
 965-
 970-
 975-
 980-
 985-
 990-
 995-
 1000-
 1005-
 1010-
 1015-
 1020-
 1025-
 1030-
 1035-
 1040-
 1045-
 1050-
 1055-
 1060-
 1065-
 1070-
 1075-
 1080-
 1085-
 1090-
 1095-
 1100-
 1105-
 1110-
 1115-
 1120-
 1125-
 1130-
 1135-
 1140-
 1145-
 1150-
 1155-
 1160-
 1165-
 1170-
 1175-
 1180-
 1185-
 1190-
 1195-
 1200-
 1205-
 1210-
 1215-
 1220-
 1225-
 1230-
 1235-
 1240-
 1245-
 1250-
 1255-
 1260-
 1265-
 1270-
 1275-
 1280-
 1285-
 1290-
 1295-
 1300-
 1305-
 1310-
 1315-
 1320-
 1325-
 1330-
 1335-
 1340-
 1345-
 1350-
 1355-
 1360-
 1365-
 1370-
 1375-
 1380-
 1385-
 1390-
 1395-
 1400-
 1405-
 1410-
 1415-
 1420-
 1425-
 1430-
 1435-
 1440-
 1445-
 1450-
 1455-
 1460-
 1465-
 1470-
 1475-
 1480-
 1485-
 1490-
 1495-
 1500-
 1505-
 1510-
 1515-
 1520-
 1525-
 1530-
 1535-
 1540-
 1545-
 1550-
 1555-
 1560-
 1565-
 1570-
 1575-
 1580-
 1585-
 1590-
 1595-
 1600-
 1605-
 1610-
 1615-
 1620-
 1625-
 1630-
 1635-
 1640-
 1645-
 1650-
 1655-
 1660-
 1665-
 1670-
 1675-
 1680-
 1685-
 1690-
 1695-
 1700-
 1705-
 1710-
 1715-
 1720-
 1725-
 1730-
 1735-
 1740-
 1745-
 1750-
 1755-
 1760-
 1765-
 1770-
 1775-
 1780-
 1785-
 1790-
 1795-
 1800-
 1805-
 1810-
 1815-
 1820-
 1825-
 1830-
 1835-
 1840-
 1845-
 1850-
 1855-
 1860-
 1865-
 1870-
 1875-
 1880-
 1885-
 1890-
 1895-
 1900-
 1905-
 1910-
 1915-
 1920-
 1925-
 1930-
 1935-
 1940-
 1945-
 1950-
 1955-
 1960-

1. *Chelidonium majus*
 2. *Chelidonium majus*
 3. *Chelidonium majus*
 4. *Chelidonium majus*
 5. *Chelidonium majus*
 6. *Chelidonium majus*
 7. *Chelidonium majus*
 8. *Chelidonium majus*
 9. *Chelidonium majus*
 10. *Chelidonium majus*
 11. *Chelidonium majus*
 12. *Chelidonium majus*
 13. *Chelidonium majus*
 14. *Chelidonium majus*
 15. *Chelidonium majus*
 16. *Chelidonium majus*
 17. *Chelidonium majus*
 18. *Chelidonium majus*
 19. *Chelidonium majus*
 20. *Chelidonium majus*
 21. *Chelidonium majus*
 22. *Chelidonium majus*
 23. *Chelidonium majus*
 24. *Chelidonium majus*
 25. *Chelidonium majus*
 26. *Chelidonium majus*
 27. *Chelidonium majus*
 28. *Chelidonium majus*
 29. *Chelidonium majus*
 30. *Chelidonium majus*
 31. *Chelidonium majus*
 32. *Chelidonium majus*
 33. *Chelidonium majus*
 34. *Chelidonium majus*
 35. *Chelidonium majus*
 36. *Chelidonium majus*
 37. *Chelidonium majus*
 38. *Chelidonium majus*
 39. *Chelidonium majus*
 40. *Chelidonium majus*
 41. *Chelidonium majus*
 42. *Chelidonium majus*
 43. *Chelidonium majus*
 44. *Chelidonium majus*
 45. *Chelidonium majus*
 46. *Chelidonium majus*
 47. *Chelidonium majus*
 48. *Chelidonium majus*
 49. *Chelidonium majus*
 50. *Chelidonium majus*
 51. *Chelidonium majus*
 52. *Chelidonium majus*
 53. *Chelidonium majus*
 54. *Chelidonium majus*
 55. *Chelidonium majus*
 56. *Chelidonium majus*
 57. *Chelidonium majus*
 58. *Chelidonium majus*
 59. *Chelidonium majus*
 60. *Chelidonium majus*
 61. *Chelidonium majus*
 62. *Chelidonium majus*
 63. *Chelidonium majus*
 64. *Chelidonium majus*
 65. *Chelidonium majus*
 66. *Chelidonium majus*
 67. *Chelidonium majus*
 68. *Chelidonium majus*
 69. *Chelidonium majus*
 70. *Chelidonium majus*
 71. *Chelidonium majus*
 72. *Chelidonium majus*
 73. *Chelidonium majus*
 74. *Chelidonium majus*
 75. *Chelidonium majus*
 76. *Chelidonium majus*
 77. *Chelidonium majus*
 78. *Chelidonium majus*
 79. *Chelidonium majus*
 80. *Chelidonium majus*
 81. *Chelidonium majus*
 82. *Chelidonium majus*
 83. *Chelidonium majus*
 84. *Chelidonium majus*
 85. *Chelidonium majus*
 86. *Chelidonium majus*
 87. *Chelidonium majus*
 88. *Chelidonium majus*
 89. *Chelidonium majus*
 90. *Chelidonium majus*
 91. *Chelidonium majus*
 92. *Chelidonium majus*
 93. *Chelidonium majus*
 94. *Chelidonium majus*
 95. *Chelidonium majus*
 96. *Chelidonium majus*
 97. *Chelidonium majus*
 98. *Chelidonium majus*
 99. *Chelidonium majus*
 100. *Chelidonium majus*



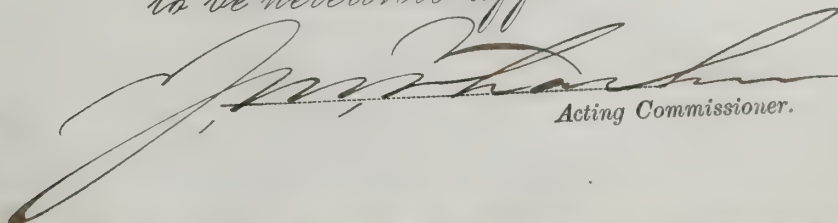
2 Drawings

White 5 & 6



Received for record November 12 1874 and recorded in
Liber K18, Page 346, of Transfers of Patents.

In testimony whereof, I have caused
the seal of the Patent Office
to be hereunto affixed.


Acting Commissioner.



Circuit Court of U.S. } Richardson & McKeever
District of Mass. } Solicitors
in Equity.

Exhibit E
W. Z. Perkins
Examiner

ASSIGNMENT.

Whereas, Julius Bein, and William Ulrich, both of the City of Newark, in the County of Essex, and State of New Jersey,

did obtain LETTERS-PATENT of the UNITED STATES OF AMERICA for certain improvements in Children's Carriages.

which Letters-Patent bear date the 17th day of February eighteen hundred and Sixty Eight, and are numbered 74,284

And Whereas, Messrs. Richardson, McKee & Co. of the City of Boston, in the State of Massachusetts,

are desirous of acquiring an interest therein.

Now, this Indenture Witnesseth, that for and in consideration of the sum of One Hundred dollars to the said Bein & Ulrich in hand paid, the receipt of which is hereby acknowledged, we have assigned, sold and set over, and do hereby assign, sell and set over, unto the said

Richardson & McKee & Co.

all the right, title, and interest which we have in the said invention, as secured to us by said Letters Patent.

The Same to be held and enjoyed by the said Richardson McKee & Co. together with the right to renew the same if they the said Richardson McKee & Co. so desire, for their own use and behoof, and for the use and behoof of their legal representatives, to the full end of the term for which said Letters-Patent are granted, as fully and entirely as the same would have been held and enjoyed by us if said assignment and sale had not been made.

In Testimony Whereof we hereunto set our hands and seals, this 11th day of November eighteen hundred and seventy four.

Julius Bein
William Ulrich

SEALED AND DELIVERED IN PRESENCE OF

Olive Drake
Geo. N. Wilson,

Exhibit C, W. P. Perkins
Examination

ASSIGNMENT OF PATENT.

To

Improvement in

Dated 18

JAMES L. NORRIS,
SOLICITOR OF PATENTS,

WASHINGTON, D. C.

Thos J. Davis

THE U. S. PATENT OFFICE.



To all persons to whom these presents shall come, Greeting:

This is to certify That the annexed is a true copy from
the Records of this Office of the Letters Patent
granted to Cogswell, Jr. Dated February,
21, 1863, No. 37,734
For
Impr. in Carriage Sels.

In testimony whereof, I,

Ellis Spear,

Acting Commissioner of Patents, have caused the seal of the
Patent Office to be hereunto affixed this Seventeenth
day of September, in the year of our Lord one
thousand eight hundred and seventy-five, and of the Independence
of the United States the one hundredth.

Ellis Spear

Acting Commissioner.

THE UNITED STATES OF AMERICA.

To all to whom these Letters Patent shall come :

Whereas *Ira Cogswell Jr., of Earlville, Illinois*
has alleged that *he has* invented a new and useful

Improvement in a Lash or folding Top for carriages &c -

which *he* states has not been known or used before *his* application ;
has made oath that he is a Citizen of the United States
that *he does* verily believe that *he is* the original and first inventor
or discoverer of the said *Improvement*, and that the same has not, to
the best of *his* knowledge and belief, been previously known or used ;

has paid into the TREASURY OF THE UNITED STATES the sum
of *Thirty-five* dollars, and presented a petition to the COMMISSIONER OF PATENTS,
signifying a desire of obtaining an exclusive property in the said *Improvement*
and praying that a patent may be granted for that purpose :

THESE ARE THEREFORE to grant, according to law, to the said

Ira Cogswell Jr., his heirs, administrators,
or assigns, for the term of *Seventeen* years from the *twenty-fourth*
day of *February* one thousand eight hundred and *sixty-three*
the full and exclusive right and liberty of making, constructing, using, and vending to others
to be used, the said *Improvement*, a description whereof is given in the words
of the said *Ira Cogswell Jr.,*
in the schedule hereunto annexed, and is made part of these presents.

IN TESTIMONY WHEREOF, I have caused these letters to
be made Patent, and the seal of the PATENT OFFICE
has been hereunto affixed.

GIVEN under my hand, at the CITY OF WASHINGTON,
this *twenty-fourth* day of *February*
in the year of our Lord one thousand eight
hundred and *sixty-three* and of the
Independence of the United States of America
the *eighty-seventh*

W. T. Otto
Acting Secretary of the Interior.

Countersigned, and sealed with the
seal of the Patent Office

D. P. Holloway
Commissioner of Patents.

(20)
The schedule referred to in these Letters Patent and making part of the same.

To all whom it may concern:

Be it known that I, Ira Cogswell, Jr. of
Earville, in the County of La Salle, and State of Illinois, have
invented a new and useful improvement in Car Lash or Folding
Tops for Wheel Vehicles and Sleighs, and I do hereby declare
that the following is a full, clear and exact description of the same,
reference being had to the accompanying drawings making a
part of this specification, in which.

Figure 1, is a side sectional view of my invention, taken in
the line x, x, Figure 2.

Figure 2, is a back view of the same.

Similar letters of reference indicate corresponding parts
in the two Figures.

To enable those skilled in the art to fully understand
and construct my invention, I will proceed to describe it.

A, represents the body of a light wagon, B, the seat
and C, the dashboard - These parts may be constructed in the usual
way and therefore do not require a minute description.

On the upper part of the back a, of the seat there is
placed a rod or shaft D, which is fitted in suitable bearings
b, b, and allowed to turn freely therein. The ends of the shaft
D, are bent so as to form arms E, E, which are at right angles
to the shaft D, and parallel with the sides of the body A. The
front ends of these arms E, E, are connected by jointed bars F, F,
with the front parts of the sides c, of the seat B, the lower
ends of the bars F, being connected to the sides of the seat by
pivot bolts d. The bars F, are jointed at about their centres

the joints e, being so formed as to admit of said bars folding backward. The upper ends of the bars F, are attached to the front ends of the arms E, by pivot bolts F.

G, G', G'', G''' represent four bows which may be constructed of wood, and in the same manner as the bows of an ordinary ca. Lash or folding carriage or wagon top. The lower ends of these bows are provided with irons g, all of which at each side of the top are fitted on a common pivot or bolt h, and these bolts pass through the front end of the arm E. The bows form the frame of the top, and they have straps H, attached to them to prevent them spreading beyond a certain distance from each other. These straps at their back ends are attached to the shaft D.

I, I, represent two jointed bars the lower ends of which are connected by pivot bolts i, i, with the arms E, E, the upper ends of said bars being connected by pivot bolts j, j, with the bow G. The joints k, of the bars I, are so formed that said bars may fold backwards. The bows G, G' and G'' are connected at each side by jointed bars J, J, the joints l, of said bars being so formed as to admit of the bars J, folding upward.

From the above description it will be seen that by folding the bars I, I, backward, and folding the bars J, J, upward, the bows G, G', G'', G''' may be brought in contact with each other, and turned down parallel with the arms E, E, and that the latter by folding back the bars F, F, may be let down upon the sides of the seat B, as shown in red in Figure 1. When the top is in this position, it does not form any encumbrance whatever, and the view from the seat is unobstructed all around, equally so as if the seat were not provided with a top. In order to raise the top the arms E, E, are first lifted as shown in blue tint in Figure

1, the bars F, supporting the same, and the bows G, G', G'', G''' are then spread out, the jointed bars I, I, J, J, retaining them in proper position. If it should be necessary for the occupant of the seat to be better protected in front than the top in this position is capable of doing, the bars F, F, are folded backward and hooks K, which are attached to each side of the seat by joints or pivots m, are fitted in any of the series of holes n, in the arms E, E. By this arrangement the front part of the top may be adjusted more or less forward, as shown in blue outline in Figure 1.

The bows or frame of the top may be covered in the usual manner and the lower ends of the jointed bars I, I, may be provided with levers L, to admit of said bars being manipulated at the inner side of the top.

By this invention a strong and durable top is obtained, one that will be firm or not liable to rattle, and on account of the comparatively great scope of its adjustment, far preferable to the ordinary tops in use.

Having thus described my invention, what I claim as new, and desire to secure by Letters Patent, is

The combination of the inclined arms E, E, hooks K, and folding bars F, F, with the bars I, J, bows G, G', G'', G''' and seat B, all in the manner herein shown and described.

Witnesses

Russell T. Cain

Asa Hooley

Ira Hoagwell Jr.



Morgan

Circuit Court of the United States.

IN AND FOR THE DISTRICT OF *Massachusetts*

Lorenzo H. Richardson and et al v. Baxter & Co.
George McKee

Baxter O. Noyes and
Osgar G. Stratton

In Equity.

To the Honorable the Judges of the Circuit Court of the United States in and for
the District of *Massachusetts*

Westfield in the County of Hampden
Lorenzo H. Richardson, and
George McKee

both of *Boston* in the
County of *Suffolk* and *Commonwealth* of
Massachusetts copartners under the firm
name and style of *Richardson McKee & Co.*

and a citizen of said *Commonwealth* and of the United
States, bring this bill of complaint against

Baxter O. Noyes and
Osgar G. Stratton both of Greenfield
in the County of Franklin in said
Commonwealth, copartners under the
firm name and style of O. O. Noyes & Co.

and thereupon your orators complain and say, on information and belief:

That on and prior to the seventh day of February, A.D. 1868
of Julius Bené and William Ulrich both
Newark, in the State of New Jersey
were ~~was~~ citizens of the
United States, and was the original and first inventor of a certain new and useful

Improvement in Children's Carriages

not in public use or on sale for more than two years prior to ^{their} application for a
patent, next hereinafter mentioned, and that being such original and first inventors
the said Julius Bené and William Ulrich
before said 11th day of February, A.D. 1868, made
application, in due form of law, to the Commissioner of Patents of the United States
for Letters Patent for ^{their} said invention,

whereupon such proceedings were had, that on said 11th day of February,
A.D. 1868, Letters Patent of the United States were granted to said
Julius Bené and William Ulrich
therefor, in conformity with the requirements of the Statute in such case made
and provided, and that the said Letters Patent in their terms granted to the said
Julius Bené and William Ulrich
and to ^{their} heirs, administrators or assigns, for the
term of seventeen years from said last-mentioned day, the full and exclusive right
and liberty of making, using and vending to others to be used
the invention therein described and claimed; and your orators bring here into
court a duly authenticated copy of said Letters Patent,
and pray that the same may be taken as a part of this bill.

And your orator further show that by valid assignment, duly
recorded in the office of the Commissioner of Patents of the United States, all the
right, title, and interest of the said Julius Bené and William Ulrich
Letters Patent, in and to said
secured by said Letters Patent, and in and to the invention

became vested in your orators prior to the infringement herein complained of,
and your orators then became, and now are entitled to and possessed of the full
and exclusive right and liberty of making, constructing, using, and vending to
others to be used, the aforesaid invention within and throughout the United States,
as in and by said assignment, or certified copy thereof, here in court to be pro-
duced, will more fully appear.

And your orators further show that afterwards the said Bené and Ulrich
with the consent of your orators surrendered the said last-mentioned Letters Patent to the
Commissioner of Patents in due form of law, and such proceedings were had
that said Commissioner did, on the twenty ninth day of
December A.D. 1874 re-issue to said your orators under
their said firm name Letters Patent of the United States, in conformity with the
requirements of the statute in such case made and provided; and that the said
Letters Patent, in their terms, granted to the said your orators
and to ^{their} heirs, or assigns, for the term of
seventeen years from said eleventh day of February A.D. 1868
the exclusive right and liberty
to make, use and vend the invention therein described and
claimed; and your orators bring here into court a duly authenticated copy of
said Letters Patent.

And your orators further show that on and prior to the
seventh day of October A.D. 1873, said Henry M. Richardson
was a citizen of the United States and was the original and
first inventor of a certain new and useful improvement in
children's carriages
not in public use or on sale for more than two years prior to his application for a
patent, next hereinafter mentioned, and that being such original and first inventor,
the said Henry M. Richardson
before said 7th day of October, A.D. 1873, made
application, in due form of law, to the Commissioner of Patents of the United States
for Letters Patent for his said invention,

whereupon such proceedings were had, that on said 7th day of October,
A.D. 1873, Letters Patent of the United States were granted to said
Henry M. Richardson
therefor, in conformity with the requirements of the Statute in such case made
and provided, and that the said Letters Patent in their terms granted to the said

Henry M. Richardson and to his heirs, or assigns, for the
term of seventeen years from said last-mentioned day, the exclusive right
to make use and vend
the invention therein described and claimed; and your orators bring here into
court a duly authenticated copy of said Letters Patent,
and pray that the same may be taken as a part of this bill.

And your orators further show that afterwards the said Henry M. Richardson
surrendered the said last-mentioned Letters Patent to the
Commissioner of Patents in due form of law, and such proceedings were had
that said Commissioner did, on the third day of
November A.D. 1874 re-issue to said Henry M. Richardson
Letters Patent of the United States, in conformity with the
requirements of the statute in such case made and provided; and that the said
Letters Patent, in their terms, granted to the said Henry M. Richardson
and to his heirs, or assigns, for the term of
seventeen years from said seventh day of October A.D. 1873
the exclusive right and liberty
to make use and vend the invention therein described and
claimed; and your orators bring here into court a duly authenticated copy of
said Letters Patent.

became, and now are entitled to use, possessed of the full and
exclusive right and liberty of making, constructing, using, and
vending to others to be used, the aforesaid invention within and
throughout the United States, as in and by said assignment
or certified copy thereof, here in court to be produced, will
more fully appear

Circuit Court of the United States

IN AND FOR THE DISTRICT OF

U.S.

In Equity

To the Honorable the Judges of the Circuit Court of the United States in and for
the District of

County of

of

and

in the

of

and a citizen of said
States, bring this bill of complaint against

and of the United

And your orators further show that the said invention has hitherto been in the
exclusive possession of

And your orators further show that the said inventions have
been in the exclusive possession of your orators
and of great profit to your orators, yet that the said defendants, well knowing
the premises and the rights and privileges so as aforesaid secured by the said
Letters Patent, but contriving to injure your
orators, and to deprive them of the profits, benefits
and advantages which might and otherwise would have accrued to them from the
said Letters Patent, have been ever since the
3^d day of November, A.D. 1874, and still are unlawfully, wrongfully, and
without license or permission of your orators, making, constructing, using, and
vending to others to be used, standards for supporting carriage tops
constructed according to the aforesaid invention, patented by the said
residue letters patent, and each of them and in actual concert with
Henry Kimball of Malden in the County of Middlesex in said Commonwealth
and others, have made such standards and sold them to said
Kimball and others to be by them combined with children's carriages,
and said Kimball and others in actual concert with said defendants
have so combined said standards with, and have sold, children's carriages
constructed according to the aforesaid invention patented by the said Letters
Patent, and each of them in violation and infringement of the
aforesaid rights and privileges of your orators; but how many of said machines
the said defendant have so made, constructed, used or sold, your orators are ignorant
and cannot set forth, but they aver that the said defendants have derived and
received, and are still deriving and receiving from such construction, use or sale,
great gains and profits, but to what amount your orators are ignorant and can-
not set forth, and they pray that the defendants may be required to make a dis-
closure of all such gains and profits.

4

And your orators further pray that the said defendants may be compelled by a decree of this Court, to account for and pay over to your orators all such gains and profits as have accrued to or been received by ~~them~~ ^{or either of them} and all such gains and profits as ~~they~~ ^{they} may be entitled to by reason of the aforesaid construction, use or sale of said ~~standards~~ ^{standards or carriages} and all such gains and profits as your orators would have received but for the said unlawful acts of the said defendants, and the damages which your orators ~~have~~ ^{have} sustained by said unlawful acts of the said defendants

And that the defendants, ~~their~~ ^{their} clerks, attorneys, agents, servants and workmen, may be perpetually enjoined and restrained by the decree and injunction of this Court, from directly or indirectly making, constructing, using, and vending to others to be used, ~~standards or carriages~~ ^{standards or carriages} containing or employing the invention described and patented in said ~~Letters Patent~~ ^{Letters Patent},
or either of them

and that ~~they~~ ^{they} may be decreed to pay the costs of this suit, and that ~~they~~ ^{they} may be also enjoined and restrained, as aforesaid, during the pendency of this suit

and that your orators may have such other and further relief as the equity of the case may require, and to this Court may seem meet.

To the end, therefore, that the defendants may, if ~~they~~ ^{they} can, show why your orators should not have the relief hereby prayed, and may full, true, direct and perfect answer make to the several matters hereinbefore stated and charged, as fully and particularly as if the same were here repeated and the defendant specially interrogated in reference thereto, and especially that ~~they~~ ^{they} may set forth whether, since the ~~third~~ ^{third} day of ~~November~~ ^{November} A.D. 1874 ~~They~~ ^{They} have made, constructed, used or sold, and ~~are now making, constructing, using or selling, or causing or~~ ^{are now making, constructing, using or selling, or causing or} permitting to be sold, within the district aforesaid or elsewhere, in the United States any ~~standards or carriages~~ ^{standards or carriages} containing or employing the invention aforesaid,

and how many thereof ~~they~~ ^{they} have so made, constructed, used or sold, or caused or permitted to be used, and whether ~~they~~ ^{they} claim so to make, construct, use and sell the said ~~standards or carriages~~ ^{standards or carriages}, or to cause or permit the same to be used, under any pretended grant or license held by ~~them~~ ^{them} or by others under said Letters Patent:

Edon

May it please your Honors to grant unto your orators not only writs of injunction conformable to the prayer of this bill, but also a writ or writs of *subpoena ad respondendum*, issuing out of and under the seal of this Honorable Court, directed to the said defendants, commanding ~~them~~ ^{them} to appear and make answer to this Bill of Complaint, and to perform and abide by such order and decree herein as to this Court may seem required by the principles of equity and good conscience.

Lorenzo H. Richardson
by atty
T. Le. Livermore
George McKee

And your orators, as in duty bound, will ever pray.

Thos. Le. Livermore
Solicitor and of Counsel.

UNITED STATES OF AMERICA,
DISTRICT OF *Massachusetts* }
Suffolk ss.

On the *16th* day of *March* A.D. 1874, before me came the above-named

Lorenzo H. Richardson and George McKee
one of

the complainant named in the foregoing bill, and ~~they~~ ^{he} being by me duly sworn, did depose and say that ~~they~~ ^{he} had read the foregoing bill, and that the same was true of ~~their~~ ^{his} own knowledge, except as to the matters therein stated on information and belief; and as to those matters ~~they~~ ^{he} believes it to be true.

And ~~they~~ ^{he} did further depose and say that ~~they~~ ^{he} did verily believe the said *Henry M. Richardson Julius Bliss and William Bliss* in the said bill named, ~~respectively~~ ^{as the} the original and first inventors of the inventions described and patented in the Letters Patent mentioned in said bill, and that said *Lorenzo H. Richardson* is ~~now in said Westfield~~ ^{Before me,}

William L. Perkins
Notary Public



551 Oct. 1876.

No. 551 F. 2. 18

Circuit Court of the United States,

DISTRICT OF

Massachusetts

Massachusetts

Henry M. Richardson et al.

vs.

Edwin D. May et al.

BILL IN EQUITY.

Issued subpoena returnable the *1st* day of *June*, 1875.

Wm. D. Southermore

Solr for Complainant

